


Maryland Series in Contemporary Asian Studies

Number 3 – 2003 (174)



NEW RULES TO THE OLD GREAT
GAME: AN ASSESSMENT OF THE
SHANGHAI COOPERATION
ORGANIZATION'S PROPOSED
FREE TRADE ZONE

Leland Rhett Miller

SCHOOL OF LAW
UNIVERSITY
OF
MARYLAND

Maryland Series in Contemporary Asian Studies

General Editor: Hungdah CHIU
Executive Editor: Chih-Yu T. WU
Associate Executive Editor: Yufan LI
Associate Editor: Matthew Lyon
David Salem
Managing Editor: Chih-Yu T. WU

Editorial Advisory Board

Professor Robert A. Scalapino, University of California
at Berkeley
Professor Bih-jaw LIN, National Chengchi University
Dr. Ying-jeou MA, President of Chinese Society of
International Law
Professor Toshio Sawada, Sophia University, Japan
Professor Choon-ho Park, International Legal Studies,
Korea University, Republic of Korea

All contributions (in English only) and communications should be sent to:

Professor Hungdah CHIU/or Chih-Yu T. WU
University of Maryland School of Law
500 West Baltimore Street
Baltimore, Maryland 21201-1786, USA

All publications in this series reflect only the views of the authors.

While the editor accepts responsibility for the selection of materials to be published, the individual author is responsible for statements of facts and expressions of opinion contained therein.

Subscription is US \$35.00 per year for 4 issues (regardless of the price of individual issues) in the United States and \$40.00 for Canada or overseas. Checks should be addressed to MSCAS.

Tel.: (410) 706-3870
Fax: (410) 706-1516

Price for single copy of this issue: US \$6.00

ISSN 0730-0107
ISBN 1-932330-04-6

© Maryland Series in Contemporary Asian Studies, Inc.

NEW RULES TO THE OLD GREAT GAME: AN ASSESSMENT OF THE SHANGHAI COOPERATION ORGANIZATION'S PROPOSED FREE TRADE ZONE

Leland Rhett Miller*

“Security and economic and trade cooperation are complementary and promote each other, and are two big wheels propelling regional cooperation and the development of the SCO.”

- Former Chinese President JIANG Zemin¹

“We want the SCO to become a modern organization of a new type in line with the demands of [a] multi-polar world.”

- Former Russian Foreign Minister Igor Ivanov²

TABLE OF CONTENTS

I. Introduction	2
II. The Shanghai Cooperation Organization: A Short History.....	4
III. Background: A History of GATT/WTO and Regional Trading Arrangements	7
IV. Analyzing the Proposed SCO Free Trade Zone.....	10
V. What Makes the SCO Apparatus Unique.....	14
VI. Conclusion	22

* J.D. Candidate, Class of 2004, University of Virginia School of Law; Editor-in-Chief, *Virginia Journal of International Law*, 2003-2004; Research Fellow, U.S.-China Economic and Security Review Commission, Washington, D.C., 2003-present. The views herein are the author's own and do not necessarily represent the views of the University of Virginia, the U.S.-China Commission, or the United States government.

1. “Jiang Zemin: Carry Forward the ‘Shanghai Spirit’, Promote World Peace,” speech at St. Petersburg SCO summit on 7 June 2002, *Renmin Ribao* [People's Daily], 7 June 2002.

2. Sergei Blagov, “Shanghai Cooperation Organization Prepares for New Role,” *Eurasia Insight*, 29 April 2002, available at <<http://www.eurasianet.org/departments/insight/articles/eav042902.html>>.

I. INTRODUCTION

While the United States busies itself remaking Afghanistan in its own image, another powerful force is also at work in Central Asia, remaking the region in an altogether different way. This entity is the Shanghai Cooperation Organization (SCO), a regional body comprising the People's Republic of China (PRC), Russia, Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan.³ Dubbed everything from a "force for stabilization" to the "anti-NATO," the SCO's potential is enormous. The region comprises over 30 million square kilometers, has a total population of almost 1.5 billion people, and has a total gross domestic product in excess of US\$1.3 trillion.⁴ Founded in its namesake city, the SCO relocated its governing mechanism (now called the "SCO secretariat") to Beijing in January 2004.⁵

Despite its high-profile cast, the SCO has remained an enigma throughout its short history — scholars have been at odds as to whether to characterize it as a security organization, a regional forum, an anti-terrorism coalition, or some sort of regional hybrid. After several years of incremental development, it is now probably safe to describe the SCO as the last, — an all-purpose regional security body dedicated, according to its charter, to the promotion of "regional and world peace and stability."⁶ In May 2002, however,

3. For the purposes of this paper, the term "Central Asia" refers only to the four Central Asian SCO Member States of Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan. The two non-participating Central Asian "-Stans," Turkmenistan and Afghanistan, as well as Pakistan, are outside the scope of this paper.

4. "SCO Emblem Unveiled," *Renmin Ribao*, 7 January 2004; "6-Nation Group Meets in Shanghai on Economic Cooperation," *China Daily*, 28 May 2002.

5. *Id.*; "China and Five Central Asian Countries Hold Forum on Security, Economy," *Dushanbe Tajik Radio 1*, 19 July 2002, FBIS translated text CEP20020719000221.

6. See "'Founding Declaration' of the Shanghai Cooperation Organization," *Renmin Ribao*, 15 June 2001 [hereinafter SCO Founding Declaration]. See generally "Shanghai Cooperation Organization Develops Steadily," *Xinhua* [*New China News Agency*], 4 September 2003; "Shanghai Coop Moving Ahead," *China Daily*, 25 September 2003 (an overview of the latest developments); "SCO Revamps to Aid Stability," *China Daily*, 26 November 2002; SUN Lingyun, Report compiled: "The International Seminar on 'The Post-9.11 Situation in Central Asia and the Shanghai Cooperation Organization,'" *Shanghai Guoji Zhanwang* [*World Outlook*], 15 June 2002, pp. 42-3, FBIS translated text CPP20020719000183. In January 2004, Chinese President HU Jintao forwarded his own description of the organization, stating that the SCO is entering "a new stage of all-around pragmatic cooperation." See "President Hu Jintao Meets with Foreign Ministers of SCO Member States and Heads of SCO Organs," *Bulletin of the Ministry of Foreign Affairs of the Peoples Republic of China*, 16 January 2004.

SCO members announced a new wrinkle: the start of negotiations aimed at establishing an SCO free trade zone.⁷

As of early 2004, the SCO free trade zone is “under construction,” and — despite a strong commitment from SCO members — may very well not materialize itself for several years. As a result, any analysis focusing on the future of this zone will be purely speculative. However, this does not mean that the history of this zone, the inter-relationship of its participants, and the motivations of its actors are not worth investigating. On the contrary, such an examination is of considerable help in answering a number of important and relevant questions: *What is the significance of the free trade zone proposal, and why are SCO countries interested in entering this arrangement? What do China and Russia offer each other by it, and what does either offer the states of Central Asia? Is this proposed free trade area just another example of an expanding global trend, or is it the product of a different dynamic altogether?*⁸

In addressing these issues, this article will first provide a short review of the formal development of the SCO, followed by a background section on the global trading system, including an overview of the World Trade Organization (WTO) and a history of regional arrangements and free trade areas in general. The article will then focus on the interaction of the nations forming this zone, with a particular emphasis on China and Sino-Russian cooperation, and will conclude by explaining the forces that are driving this zone into fruition.⁹

7. “SCO Negotiates Free Trade Zone,” *China Daily*, 29 May 2002.

8. To my knowledge, this paper is the first analysis of the SCO free trade zone — in any language — that focuses primarily on these issues.

9. Two cautionary notes are necessary: First, while attempting to provide an overview of the regional arrangement from the perspective of all six nations involved, this paper will pay particular attention to the prime mover in this alliance, China, whose increasingly desperate energy needs, I posit, are the prime impetus behind the SCO's accelerated progress in regional integration.

Secondly, in many instances throughout this paper, rather than treating the SCO as six separate entities, Central Asian states are often lumped together into one group, with Russia and China rounding out the triumvirate. This is an obvious oversimplification, for the interests, needs, and policy goals of the four Central Asian states are often as much at odds as they are in uniformity (one needs only to contrast Kazakhstan's enthusiasm for the organization with Uzbekistan's perpetual recalcitrance). However, for the purpose of this paper, it is often a necessity to group these four nations together under the general heading of “Central Asia,” representing a bloc of four lesser-developed countries that maintain the shared goals of increasing foreign trade and the betterment of their tenuous national and regional security environments.

II. THE SHANGHAI COOPERATION ORGANIZATION: A SHORT HISTORY

The SCO free trade zone represents a significant maturation of the organization since its humble beginnings almost eight years ago.¹⁰ Originally known as the “Shanghai Five” — Uzbekistan did not become a member until 2001 — the SCO was set up in 1996 ostensibly to solve border disputes, with the expectation that these initial overtures would lead to a more hospitable regional climate and increased overall cooperation.¹¹ Such cooperation did indeed materialize soon thereafter: In July 1998, the first meeting of the heads of state of the Shanghai Five met in Kazakhstan and issued the so-called “Almaty Joint Statement.”¹² This declaration, while putting particular emphasis on the five nations’ common interest in fighting terrorism, also proposed the basic principles for developing future economic cooperation within the SCO. Among these goals were to

. . . provide each other with common international trade conditions to expand the volume of trade; encourage and support various forms of local and border region economic and trade cooperation and cooperation between large enterprises and companies in the five states; and improve the investment environment, to create conditions for increasing investment in economic projects in these states. . .¹³

Following the September 11 attacks in the United States, the organization found it useful to play down its economic aspects and placed a renewed emphasis on its role as an anti-terror coalition.¹⁴

10. For an excellent background piece on the SCO, particularly in terms of its early history and bilateral relations between member countries, see generally Bates Gill & Matthew Oresman, “China’s New Journey to the West: China’s Emergence in Central Asia and Implications for U.S Interests,” *Report of the CSIS Freeman Chair in China Studies* (August 2003) [hereinafter CSIS Report].

11. The first meeting culminated in the signing of the highly anticipated “Agreement on Strengthening Military Confidence in the Border Regions,” in April 1996. DENG Hao, “China’s Relations with the Central Asian States: Review of 10 Years,” *Guoji Wenti Yanjiu* [International Studies], 13 May 2002, pp. 8-12, FBIS translated text CPP20020712000153.

12. “Joint Statement of Kazakhstan, China, Kyrgyzstan, Russia and Tajikistan on the Almaty Meeting, July 3, 1998,” available at <<http://russia.shaps.hawaii.edu/fp/russia/joint-statement980703.html>> (citing *Xinhua*, 3 July 1998).

13. See SCO Founding Declaration, *supra* note 6.

14. PAN Guang, “Shanghai Cooperation Organization under the New Situation and Central Asia’s Anti-Terrorism Cooperation,” *Zhongguo Pinglun* [China Review], FBIS translated text CPP20020604000068.

Nevertheless, the subject of increasing economic and trade integration remained a major issue on the agenda.¹⁵ At the end of 2001, Russian Foreign Minister Igor Ivanov told Russian journalists after attending an SCO foreign ministerial meeting that a consensus was reached that "it is very essential to establish as soon as possible within the SCO framework a ministerial-level consultation mechanism for specifically resolving economic and trade issues."¹⁶ According to the Chinese representative, such a framework entailed the promotion of "investment through coordination and negotiations over market access conditions, foreign fund management, taxation, protection of investors' interests, dispute resolution mechanisms, transparency of laws and regulations, establishment of clean and efficient administrative institutions and open and fair market systems."¹⁷ In short, a nearly all-encompassing economic and trade system.

At the June 2002 SCO summit, the leaders of the member countries signed several important documents (including the governing charter, the so-called "SCO Founding Declaration,"), but with the issue of terrorism so prominent in the global spotlight, the SCO ministers made only passing reference to economic and trade cooperation.¹⁸ Nevertheless, plans for future SCO economic and trade integration were mentioned in public statements by several of the delegates. In one such statement, the Chinese Minister of Foreign Trade and Economic Cooperation (MOFTEC), SHI Guangsheng,¹⁹ articulated what the member countries foresaw as the next viable step: "[Our future] negotiations will first focus on the facilitation of trade and investment and then go on to discuss setting up a

15. "China, Russia and Central Asian States Target Free-trade Area," *Xinhua*, 30 May 2003.

16. XU Tao, "On the Shanghai Cooperation Organization under the New Situation," *Xiandai Guoji Guanxi* [*Contemporary International Relations*], 20 June 2002, pp. 6-13, FBIS translated text CPP20020709000142.

17. "Trade Official Calls for More Investment among SCO Members," *Xinhua*, 10 September 2002.

18. This document included only general references to economic cooperation: "[T]he member states of this organization hope to strengthen cooperation with each other. . . and maintain a variety of forms of development in the economic, social, and cultural fields. . . ." See SCO Founding Declaration, *supra* note 6. See also "Charter for Shanghai Cooperation Organization Adopted at Summit in Russia," *Renmin Ribao*, 8 June 2002.

19. Shi was later named chairman of the first meeting of the Economic and Trade Ministers of the SCO.

free-trade zone.”²⁰ Though it flew almost completely under the international radar, this represented the first public announcement of the SCO’s intent to create a free trade zone.

By 2003, economic and trade integration once again became a major focus of the SCO ministers. In September 2003, leaders of the six SCO countries signed a framework agreement on multilateral economic cooperation, in addition to issuing a joint communiqué.²¹ According to the communiqué, the countries promised to further facilitate trade and investment as well as cooperate on transport issues and disaster relief and prevention.²² Chinese Premier WEN Jiabao also proposed improving the flow of goods within the SCO and reducing non-tariff-barriers in customs, quarantine, standards and transport services.²³ In addition, he suggested that the organization pursue some large projects promoting economic and technological cooperation, giving priority to the “transport, energy, telecommunications, agriculture, home appliance, light industry, and textile sectors.”²⁴

At the conclusion of the summit, Premier Wen summed up the Chinese position by articulating a roadmap comprised of three steps deemed necessary to set up the foundation for an SCO free trade area. Those three goals were:

- To promote the facilitation of trade and investment in a bid to realize the smooth circulation of goods within the framework of the SCO as well as to reduce and eliminate non-tariff barriers like those in customs service, quarantine, standards, and transportation;
- To set certain large projects on economic and technological cooperation and give priority to those in transportation, energy, telecommunication, agriculture, home appliances, light industry and textile;
- To set a long-term objective for regional economic cooperation and gradually set up a free trade zone within the SCO.²⁵

20. “SCO Negotiates Free Trade Zone,” *China Daily*, 29 May 2002; “China, Russia and Central Asian States Target Free-trade Area,” *Xinhua*, 30 May 2003.

21. “Free Trade Zone Proposed,” *China Daily*, 24 September 2003.

22. *Id.*

23. *Id.*

24. *Id.*

25. “Chinese Premier Proposes Free Trade Zone within SCO,” *Renmin Ribao*, 23 September 2003.

After the consultation, the prime ministers of the SCO countries signed six documents, including an SCO budget for 2004 (the first of its kind) and another joint communiqué.²⁶ Symbolic of the growing importance of the SCO to the PRC, Chinese President HU Jintao's first official overseas trip was to the 2003 SCO summit in Moscow, where his presence was widely seen as a strong affirmation of China's commitment to the body.²⁷

III. BACKGROUND: A HISTORY OF GATT/WTO AND REGIONAL TRADING ARRANGEMENTS

Since January 1995, the central body in the global trading system has been the World Trade Organization (WTO). The product of years of negotiations and compromise, culminating in the Uruguay Round of 1986 to 1994, the WTO is essentially an umbrella agreement that calls for a single institutional framework encompassing its predecessors, most notably the 1947 and 1994 General Agreements on Tariffs and Trade (GATT).²⁸

The central premise of GATT, articulated in its preamble, is the creation of "reciprocal and mutually advantageous arrangements directed to the substantial reduction of tariffs and other barriers to trade and to the *elimination of discriminatory treatment in international commerce*."²⁹ To support the creation of this "level playing field," discrimination is targeted through two main provisions: Article I, which adopts the Most Favored Nation (MFN) principle,³⁰ and Article III, which adopts the principle of National

26. See *id.*; "FM Spokesman: SCO PM Meeting Significant," *China.org Report*, 24 September 2003, available at <<http://www.china.org.cn>> (article gathering reports from *Xinhua* and *China Daily*). See also "Shanghai Group of Five Evolving into International Legal Structure," *Pravda*, 4 June 2001 (quoting the Kyrgyz Ambassador to China Erlan Abdyldayev).

27. "Central Asia" China becoming driving force in SCO," *Stratfor Daily Intelligence Brief*, 24 June 2003.

28. See background on the WTO at <http://www.wto.org/english/docs_e/legal_e/ur-sum_e.htm#Agreement>.

29. Michael J. Trebilcock & Robert Howse, *The Regulation of International Trade* 25 (2d ed. 1999) (emphasis added) [hereinafter Trebilcock].

30. Under the Article I MFN principle, which has served as the foundation of international trading rules since the inception of the 1947 GATT, contracting parties are required to grant to the products of other contracting parties treatment no less favorable than that accorded to products of any other country. Members of the WTO have also entered into similar commitments under the 1994 GATT for trade in goods (Article I), the GATS (Article II) in relation to treatment of service suppliers and trade in services, and the "TRIPs" Agreement in regard to the protection of intellectual property (Article 4). See GATT Article I, available at <http://www.wto.org/english/docs_e/

Treatment.³¹

Despite its importance, the MFN principle is a general rather than blanket provision and is subject to certain exceptions. By far the most important of these is the exception that explicitly allows for the formation of regional trading arrangements (RTAs). A regional trading arrangement (or “bloc”) is loosely defined as an agreement that grants more favorable conditions to a designated set of trade partners than to other member states.³² As a testament to the growing importance of regional trade agreements in the world trading system (as of July 2003, only three WTO members were not party to at least one RTA),³³ the WTO General Council in Febru-

legal_e/gatt47_01_e.htm#articleI>, as well as background on the origins of most favored nation trading status on the WTO website at <http://www.wto.org/english/thewto_e/whatis_e/eol/e/wto01/wto1_13.htm#note2>.

31. *Id.* at 26; GATT Article III. The National Treatment principle, which dictates that once border duties have been paid by foreign exporters, as provided in a country's tariff schedule, no additional burdens may be imposed through internal taxes or other forms of regulation, is ostensibly outside the scope of this paper.

32. Trade economists and scholars have hotly debated the utility of these regional trading arrangements. See e.g., Paul Krugman, “Regional Blocs: The Good, The Bad, and The Ugly,” *International Economy* (1991), at 54; Jagdish Bhagwati, “Regionalism vs. Multilateralism,” *World Economy* (1992); S. Laird, “Regional Trade Agreements: Dangerous Liaisons?,” *World Economy* (1999), at 1179-1200; Horst Siebert et al., “The Transatlantic Free Trade Area: Fueling Trade Discrimination or Global Liberalization?,” 30 *J. of World Trade* 45 (1996); Andrew Faye, “APEC and the New Regionalism,” 28 *L. & Pol. in Int'l Bus.* 175 (1996). On the one hand, regional trading blocs may be able to achieve a deeper degree of economic integration than a broad multilateral system, as “negotiations typically involve a much smaller number of ‘like-minded’ nations.” Trebilcock, *supra* note 29, at 131. Moreover, regional arrangements may serve to “lock in” the process of economic liberalization in developing countries, and if full trade liberalization is not immediately possible, partial forms of such liberalization on a regional basis is presumably better than nothing. Mathis, *infra* note 34, at 124; Trebilcock, *supra* note 29, at 27.

On the other hand, regional trade arrangements also necessitate playing favorites — an obvious conflict with the core principle (non-discrimination) of the WTO — and risk reducing international relations to “mutually destructive factionalism.” *Id.* at 130. From an economic perspective, such regional agreements also entail some degree of trade diversion (meaning that lower-cost producers outside the regional trading blocs are discriminated against, thus “distorting” the global allocation of resources and thus reducing global welfare.) *Id.* This, according to regional bloc critics, leads to increased global economic inefficiencies and constitutes a serious impediment to the spread of trade liberalization. *Id.*

33. Those three exceptions are Macao China, Mongolia and Taiwan (“Chinese Taipei”). See “Regionalism: Friends or Rivals?” on WTO website, at <http://www.wto.org/english/thewto_e/whatis_e/tif_e/bey1_e.htm>. As of May 2003, over 265 RTAs had been formed pursuant to the WTO rules. Approximately 140 of these have been established since the creation of the WTO in January 1995. Over 190 are currently in force

ary 1996 created a Regional Trade Agreements Committee to examine regional groups and assess whether they are consistent with WTO rules. Under GATT Article XXIV, regional trading arrangements can fall under one of three general categories: 1) customs unions;³⁴ 2) free trade areas; or 3) an interim agreement leading to either.³⁵

Regional trading blocs have already been formed in a number of different areas, including Latin America (MERCOSUR), the Caribbean (CARACOM), the Asia-Pacific region (APEC),³⁶ and Southern Africa (COMESA). Proposals for a number of other regional trade arrangements are also in the works, including zones in the Middle East, the American hemisphere (the "Free Trade of the Americas"), the Pacific Rim (ASEAN + China),³⁷ Pan-Europe (Russia and the European Union), South Asia ("BIMST-EC"),³⁸ and others.

and another 60 are believed to be operational although they have not yet been officially recognized by the WTO. "Judging by the number of agreements reportedly planned or already under negotiation, the total number of regional trade agreements in force might well approach 300 by 2005." *See id.*

34. *See generally* James H. Mathis, *Regional Trade Agreements in the GATT/WTO: Article XXIV and the Internal Trade Requirement* 145 (2002) [hereinafter Mathis]. For the classic tome on the development of customs unions, see Jacob Viner, *The Customs Union Issue* (1950).

35. Just a year after the 1947 GATT was established, the first official technical definition of "free trade area" was announced at a Havana Charter subcommittee meeting in 1948: "[A] group of two or more customs territories within which tariffs. . . are eliminated on substantially all trade between the constituent territories or at least on substantially all the trade in products originating from such territories." *See Mathis, supra* note 34, at 42. The provisions for free trade areas in what is now subsumed under Article XXIV were originally part of the included in the Havana ITO Charter of 1948 as Article 44 of Part IV, replacing the earlier Geneva Charter (1947) by means of a special protocol. F.A. Haight, "Customs Unions and Free Trade Areas under GATT: A Reappraisal," 6 *J. of World Trade* 391, 393 (1972). This definition was later standardized in Art. XXIV(8)(b) of the GATT: A free trade agreement "shall be understood to mean a group of two or more customs territories in which the duties and other restrictive regulation of commerce are eliminated on substantially all the trade between the constituent territories in products originating in such territories."

36. *See infra* note 50.

37. *See discussion infra* notes 48-52 and accompanying text.

38. *See* Peter Morris, "Grouping to check China's influence," *Asia Times*, 11 February 2004. This regional economic grouping, announced in early 2004, includes Bhutan, Nepal, India, Myanmar, Sri Lanka and Thailand, with Bangladesh a potential candidate to join later in the year. *Id.* This free-trade area would represent some 1.8 billion people and is expected to come to fruition by 2017.

IV. ANALYZING THE PROPOSED SCO FREE TRADE ZONE

The following two sections will concentrate on the interaction of SCO members, both within and outside the organization. Section A provides some general commentary on the current, pre-zone trade dynamics of the SCO member nations. Section B will then review the current attempts by SCO members, particularly Russia and China, to expand their involvement in regional trade arrangements in general.

A. Current Trade Dynamics of the SCO

The SCO relationship offers considerable incentives for economic cooperation amongst the six countries. But with the lack of raw data and available materials from these countries, combined with the fact that SCO trade proposals are still in a state of relative infancy, it is difficult to make many definitive conclusions about how and in what form the SCO free trade zone might actually materialize. Nevertheless, the information that is available — mostly public statements from the six countries and analysis based on trade and economic trends — does allow some reasonable conjectures to be made.

First, although regional trade agreements are globally abundant, the SCO has no obvious parallel. While the Chinese/Russian relationship with the lesser-developed Central Asian countries in the SCO may at first glance seem a reflection of the U.S./Canadian coupling with lesser-developed Mexico, the dynamics of the regional arrangements are patently dissimilar. The North American Free Trade Agreement (NAFTA) is first and foremost a trade tool, established in order to take one of the world's strongest trilateral trade relationships and make it even stronger. Even before NAFTA, the closest trade relationships of the three NAFTA countries were with each other, and the U.S.-Canada trading relationship is and was the largest between any two countries in the world.

By comparison, the bilateral trade relationships between SCO members, while substantial, are clearly not in the same league. While Russia has maintained relatively strong trade relations with its former Central Asian satellites, trade between China and Central Asia is and has always been relatively meager. Even Sino-Russian trade is surprisingly limited, amounting to only about a tenth of the US\$100+ billion in trade China does each year with the United

States.³⁹ According to the Chinese Ministry of Commerce, bilateral trade volume between China and Russia hit US\$15.76 billion in 2003, a new high for the fifth consecutive year and an increase of 23.4 percent over 2002.⁴⁰ However, even with these record increases, Russia is only China's eighth biggest trading partner, though China leapfrogged from fourth in 2002 to become Russia's second largest trade partner in 2003.⁴¹

The SCO has laid out a (very) preliminary plan to help rectify this situation. According to Chinese Premier WEN Jiabao, the focus of the SCO's early trade negotiations will primarily be on the fields of "transportation, energy, telecommunication, agriculture, home appliances, light industry, and textile."⁴² Key to this, according to WEN Zaixing, a Ministry of Foreign Trade and Economic Cooperation (MOFTEC) spokesman, is the complementarity of the SCO's member economies, with Chinese textiles, household electrical appliances and telecommunications products being competitive, and other members having advantages in metallurgy, the chemical industry, machinery, energy, raw materials, farming, and astronautics.⁴³ However, as this article will explain, the word "energy" is far and away the most important category on that list, Wen's subtle de-emphasizing of it notwithstanding.

B. Not Just Another Opportunity to Expand Trade

In some ways, a free trade zone in the SCO seems a logical progression for all member countries to simply speed up trade liberalization in one of the world's most under-developed areas. This would coincide with statements such as those made by Kazakh Foreign Minister Kasymzhomart Tokayev in October 2003 that Kazakhstan's approach to economic development is "apolitical in

39. For a detailed piece on recent Sino-Russian trade relations, see "Why Sino-Russian Trade Not Up to US\$20 Billion," *Renmin Ribao*, 9 April 2004 (translation of article from *Global Times*); also "China and Russia hope for influence," *BBC News*, 2 December 2002, available at <<http://news.bbc.co.uk/2/hi/asia-pacific/2533937.stm>>; "Sino-U.S. trade volume tops US\$100 billion in 2003," *Renmin Ribao*, 9 February 2004.

40. The 2003 figure represents an increase of almost 300 percent over the preceding five-year period. See "Treat Sino-Russian Non-governmental Trade Rationally," *Renmin Ribao*, 20 February 2004; "China, Russia Set for Record Trade year," *China Daily*, 22 September 2003.

41. "Treat Sino-Russian Non-governmental Trade Rationally," *Renmin Ribao*, 20 February 2004.

42. "Free Trade Zone Proposed," *China Daily*, 24 September 2003.

43. "6-Nation Group Meets in Shanghai on Economic Cooperation," *China Daily*, 28 May 2002.

nature.”⁴⁴ He further described Kazakhstan’s SCO cooperation as merely one facet of its policy to bolster ties with all of Central Asia’s regional powers, including Russia, China, and the United States. Depicted in this way, an SCO free trade zone appears to be simply one of many instruments that SCO nations will use to increase trade liberalization at a more advanced pace than a massive, lumbering global body such as the WTO could manage if left to its own devices.

Considering the aggressive trade diplomacy of SCO Member States over the past several years, this view at first glance seems quite credible. The SCO is far from the only multilateral international trade pact being pursued by its various members. For instance, in late September 2003, Russia, Ukraine, Kazakhstan, and Belarus signed a memorandum of intent to form a Common Economic Space (CES), officially a quasi-customs union.⁴⁵ The CES is a multi-phased arrangement governing the coordination of customs duties and the “harmonization” of trade and customs regulations within the member territories, with the “expectation” that this will eventually become a free trade area.⁴⁶ Under this plan, “Internal customs duties will be liquidated, a common customs boundary will be formed and a supra-national regulating institution will start functioning through member countries’ voluntary assignment of functions” — many of the same mechanisms forwarded under the SCO plan.⁴⁷

44. “Foreign Minister Confirms Kazakhstan’s Multi-Vectored Policy,” 3 October 2003, at <<http://www.eurasianet.org>> (“Our top priority is to join the WTO and to cooperate with major trade partners,” — the SCO as well as others).

45. Robert McFarlane, Op-Ed, “Ways to Prevent the Seduction of Kiev,” *Wall Street Journal*, 10 October 2003; “Integration of Four CIS Countries in Line with Their Peoples’ Will: Putin,” *Pravda*, 19 September 2003.

46. While members are expressly granted the right to dictate their own speed of integration, that is in many ways illusory: the agreement proclaims that the economic space must be completed in five to seven years, “a lightning pace compared to the five decades it took to form the EU.” Ariel Cohen, “U.S. Should Promote WTO as Substitute to Eurasian Common Economic Space,” *The Heritage Foundation WebMemo* #349, 16 October 2003.

47. *See id.* The zone would comprise countries that comprise 90% of Russia’s trade with the Commonwealth of Independent States. By allowing the free movement of goods in the area, the CES will not only encourage foreign investment — a market of 215 million consumers — but will also detract from the small and unstable markets of the south Caucasus states, putting tremendous pressure on these countries to jump aboard. *Id.* There is a significant difference between the CES and the SCO, however, in that some of the members of the CES favor much closer political integration, notably Belarus, whose president has dreams of presiding over a larger entity, and Russia,

China, too, has been active in seeking out potential free-trade relationships, in its “other” backyard — the Asia-Pacific region. For instance, at the Second China-Association of Southeast Asian Nations (China-ASEAN⁴⁸) Economic Ministers Meeting in September 2003, Chinese Commerce Minister LU Fuyuan spoke glowingly of “the formal launch of the establishment of the ASEAN-China Free Trade Area (ACFTA),” a nearly decade-long development regime set in motion by the China-ASEAN Framework Agreement on Comprehensive Economic Cooperation of November 2002.⁴⁹ This pact (should it materialize) promises to have a significant global as well as regional impact⁵⁰: According to statistics reported in the Chinese media, ASEAN has been China’s fifth largest trading partner for over ten years, and is currently the fourth largest supplier for China.⁵¹ Scheduled to be completed in 2010, the ACFTA is predicted to be the “world’s largest” free trade market, with 1.7 billion consumers.⁵²

The fact that both Russia and China have been extremely proactive in engaging in regional free trade negotiations has led many to view the proposed SCO free trade zone as simply another link in the chain — a logical progression in the advancement of economic expansion and trade liberalization by both countries (Central Asian countries are generally just seen as being “along for the ride”⁵³). However, this view represents a serious oversimplifi-

where considerable support still exists for a pan-Slavic reintegration. No such settlement can exist, of course, for Russia and China.

48. ASEAN was established in August 1967 in Bangkok by its five original member countries: Indonesia, Malaysia, Philippines, Singapore, and Thailand. By 1999, the organization had expanded to ten countries, with Brunei Darussalam, Vietnam, Laos, Myanmar (Burma), and Cambodia entering the fold. China is not a member but often attends meetings in an observer status. The ASEAN region has a population of about 500 million, a total area of 4.5 million square kilometers, a combined gross domestic product of \$737 billion, and a total trade of \$720 billion. See statistics on ASEAN’s website, at <<http://www.aseansec.org/64.htm>>.

49. “Free Trade Initiative Gathers Momentum,” *Xinhua*, 4 September 2003.

50. ASEAN should not be confused with APEC (Asia-Pacific Economic Cooperation), the regional forum established to promote economic growth, cooperation, and trade and investment in the Asia-Pacific region. APEC has 21 members, its so-called “Member Economies,” which account or more than 2.5 billion people, a combined GDP of \$19 trillion and approximately 47% of world trade. APEC is a trade facilitating body but not a free trade area. See APEC website at <http://www.apecsec.org.sg/apec/about_apec.html>. Russia, China, and the United States are all members of APEC.

51. “Free Trade Initiative Gathers Momentum,” *Xinhua*, 4 September 2003.

52. *Id.*; “Trade Area Disperses Worries,” *China Daily*, 17 May 2002.

53. See, e.g., “Whatever Happened to the Shanghai Cooperation Organization?,” *Jamestown Foundation Russia Monitor*, Volume 7, Issue 217, 27 November 2001, availa-

cation of Chinese and Russian motivations — and a complete ignorance of the more pressing regional issues affecting SCO multilateral relations. As this article will show, these “larger picture” considerations demonstrate that the proposed SCO free trade zone promises to be a wholly different beast than the ACFTA, NAFTA, or other “similar” free trade arrangements.

V. WHAT MAKES THE SCO APPARATUS UNIQUE

So what makes the SCO so unique? The answer is not just its size, for as the examples of the CES and the ACFTA, as well as NAFTA and the EU, demonstrate, relatively similar-sized entities are being organized or have already come into being. The answer, rather, is two-fold.

First, the area of the SCO comprises exactly that which nineteenth century grand strategist Admiral Alfred Thayer Mahan once called the “cockpit of the world,” possession of which supposedly represented the pretext to world domination. The reasons have changed, but Mahan’s statement may still be prescient. Even before September 11, 2001, when the U.S. presence in the region began to grow exponentially, Central Asia was destined to become a twenty-first century geo-political battleground anyway because of the region’s tremendous value as the world’s largest untapped energy depot.⁵⁴

Secondly, the formation of an SCO free trade zone is primarily the result of a China-driven policy to increase energy cooperation with the other members of the SCO at all costs — and as a matter of national necessity. While such a zone is predicted to have a number of other beneficial consequences, this singular purpose may alone explain why SCO integration and the formation of a free trade zone has risen to become one of the organization’s most pressing priorities.

This does not mean that China has nothing to gain trade-wise from an SCO free trade arrangement. On the contrary, the SCO will presumably provide a mutually beneficial arrangement for all of the Shanghai Six. What is important to note, however, is that such trade alone — a drop in the bucket for an economic giant such

ble at <http://russia.jamestown.org/pubs/view/mon_007_217_000.htm> (“Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan had no option but to join the [SCO] initiative while trying to limit the possible damage to their interests, and hoping in some cases to use it to their interests.”)

54. See generally Leland R. Miller, “Keeping Central Asia’s Kleptocrats at Arm’s Length,” *The Congressional Record of the United States*, 25 April 2002, S3431-S3432.

as China — is not sufficient to explain why the PRC would choose to place so much emphasis on driving forward a Central Asian regional free trade agreement, *particularly since China already maintains relatively strong bilateral trade ties to each of the other five countries*.⁵⁵

It can thus be inferred that a policy calling for the establishment of the tightest economic and trade ties possible — in this case a free trade zone (with ancillary security benefits) — is what China has judged as the most effective way to secure its energy future. As the next section illustrates, the stakes for China could hardly be higher.

A. China's Drive for Energy Security: Hoping "Integration" Ensures "Cooperation"

Rather than high tariffs or questionable quotas, it is China's looming energy crisis that is the single factor most responsible for forcibly accelerating the region's policy towards a free trade zone and further integration. This is not to say that energy issues are not of overriding importance to the other five Member States as well: According to a 2002 report submitted to the Russian government by its Ministry of Economic Development and Trade, "changes in the world oil price are the number one factor affecting Russian economic development."⁵⁶ However, the difference is that Russia and Central Asia — as net oil and gas *exporters* — are inundated with suitors and are mostly interested in issues such as achieving top dollar for oil and gas leases and acquiring cooperation in the construction of new pipelines. Thus, while the Chinese economy arguably has the least to gain from a free trade arrangement with the states of Central Asia (where imports/exports are of comparatively little value) and Russia (where bilateral ties are already considerable),

55. See discussion *infra*. It is by no means clear, however, that increased bilateral trade relations between SCO nations should be considered divorced from the overall SCO multilateral framework. One interesting example is the proposed China-Kazakhstan free border trade zone, to be located between the Yili Kazak Autonomous Prefecture (in Xinjiang) and Alma Ata (Kazakhstan). According to the Chinese press, this zone would promote zero tariffs and the free flow of people and goods. See "China and Kazakhstan to Build a Free Border Trade Zone," *Renmin Ribao*, 26 February 2004 ("Insiders attribute[] the construction of this free trade zone to . . . closer economic ties between members of the Shanghai Cooperation Organization.").

56. *Novosti Moscow Report*, 29 May 2002, cited in XU Tao, "On the Shanghai Cooperation Organization under the New Situation," *Xiandai Guoji Guanxi*, 20 June 2002, pp. 6-13, FBIS translated text CPP20020709000142.

China has nevertheless become the most ardent supporter of SCO trade integration.⁵⁷

The question is not whether China's energy situation is problematic, but rather how soon it will approach crisis levels.⁵⁸ Since 1993, the year China first became a net oil-importer, oil consumption has been increasing at a near constant rate of 4.9%, representing the fastest growing rate in the world.⁵⁹ In 1996, China became the third largest oil-consuming nation (behind the U.S. and Japan), and oil import figures have continued to sky-rocket ever since, reaching nearly 70 million tons in 2002 and over 100 million tons in 2003.⁶⁰ According to the U.S. Department of Energy's "International Energy Prospect," by 2025 China's oil imports will reach 7.4 million barrels per day, equivalent to the daily import of the entire continent of Europe.⁶¹ The latest estimates, announced by *Xinhua* in early 2004, predicted that China would import more than 500 million tons of oil a year by 2020.⁶²

57. See, e.g., "Chinese President: China to Play Active Role in SCO Development," *China Daily*, 30 May 2003, available at <http://www1.chinadaily.com.cn/en/doc/2003-05/30/content_167157.htm>; "China, Russia Raise Stakes," *Asia Times*, 20 June 2001, available at <<http://www.atimes.com/c-asia/CF20Ag02.html>> ("Russia and China are set to become 'driving forces' of the SCO," the Russian Interfax news agency quoted a Kremlin source as saying); "Jiang Pushes to Boost 'Shanghai 6'," CNN.com, 5 June 2002, available at <<http://edition.cnn.com/2002/WORLD/asiapcf/east/06/04/china.sco>>.

58. For the Chinese perspective on the PRC's growing energy needs, see CHEN Huai, Op-Ed, "Active Role Needed in Oil," *China Daily*, 7 July 2002, FBIS translated text CPP20020707000018 (the author is deputy director of the Market Economy Institute of the Development and Research Centre under the State Council); also YAO Guangming, "Will China's Oil and Gas Resources Be Depleted?," *Keji Ribao* [*Science & Technology Daily*], 11 July 2002, p.11, FBIS translated text CPP20020729000142; Du Ren, "Oil Interests and the New Round of the Great Game," *Zhongguo Qingnian Bao* [*China Youth Daily*], 26 September 2002, FBIS translated text CPP20020926000046.

59. LI Dingxin, "China's Energy Challenged by the Pipeline Routes Dispute," *Jingji Cankao Bao* [*Economic Reference*], 12 August 2003, reprinted on the Chinese Academy of Social Sciences website, available at <<http://www.cas.ac.cn/html/Dir/2003/08/12/8975.htm>> [hereinafter LI Dingxin].

60. "China's Oil Imports Exceeds 100 million tons in 2003," *Renmin Ribao*, 2 February 2004 (noting that "China imported 91.12 million tons of crude oil and 28.24 million tons of refined oil in 2003, up 31.3 percent and 38.8 percent year-on-year respectively."). Oil imports are estimated to be at least 120 million tons in 2004. "Off-shore Oil Becomes Major Source of China's Crude Oil," *Renmin Ribao*, 31 March 2004.

61. LI Dingxin, *supra* note 59.

62. "China's Oil Imports Exceeds 100 Million Tons in 2003," *Renmin Ribao*, 2 February 2004. "Hunger for Oil," *Renmin Ribao*, 12 December 2003 ("China will see an increasing dependency on crude oil imports, with the amount of crude oil imported rising from 31 percent in 2002 to 50 percent four years later in 2007").

China simply does not have anywhere near the domestic energy resources needed to supply this growing demand.⁶³ The 2002 China Petroleum and Gas Estimate Report states that even now, China's available, land-based oil satisfies only 28% of the 202.1 billion tons needed to fuel the country, and concludes the problem will be getting increasingly worse as per capita energy consumption rises.⁶⁴ As of 2002, China was producing only 70% of its oil needs,⁶⁵ and official statistics from its Finance Ministry project that by 2015, the country will consume over 260 million tons of oil a year, with approximately 80 percent of that amount to be imported. By 2020, if not sooner, China will surpass Japan as the number one oil importer in the world.⁶⁶

To tackle this problem, China has developed a new "Twenty-first Century Oil Strategy," a project jointly designed by the State Economic and Trade Commission and the State Planning Commission.⁶⁷ "At the core of this strategy, China will resurrect its State Energy Commission, placing it directly under the State Council and will provide it with over US\$100 billion of funding over the next 20 years, with the mandate to build 'a futuristic strategic oil system in

63. See, e.g., YAO Guangming, "Will China's Oil and Gas Be Depleted?," *Keji Ribao*, 11 July 2002, p. 11 ("One view maintains that, prior to the year 2050, China's oil and gas resources will be dried up."); "China Suspends Crude Oil Exports to Japan," *Renmin Ribao*, 21 February 2004. Electricity and gas shortages are also relevant to China's oil situation because such shortages have "forced many power users to start operating their own diesel-fired generators." See "Oil Supply Tightens in East and South China," *Renmin Ribao*, 25 November 2003. See also "Effort Urged to Offset Oil Import Pressure," *Renmin Ribao*, 31 March 2004; "Power, Water Shortages Feared to Continue in China," *Renmin Ribao*, 2 December 2003; "Energy Hungry China Braces for Power Struggle as Winter Draws Near," *Renmin Ribao*, 9 December 2003 ("[T]he Chinese are preparing for a winter season rendered cold and dark by frequent energy shortfalls"). For a slightly more optimistic assessment, see "Power Shortage Problem to be Solved by 2006: Official," *Renmin Ribao*, 31 March 2004; "China's Grain and Oil Supply, Feel at Ease," *Renmin Ribao*, 24 November 2003.

64. See LI Dingxin, *supra* note 59. One consequence has been China's putting a halt to its 30-year-old oil export relationship with Japan. "China Suspends Crude Oil Exports to Japan," *Renmin Ribao*, 21 February 2004.

65. David Lague, "China: The Quest for Energy to Grow," *Far Eastern Economic Review*, 20 June 2002. See also Christian M. Wade, "China Seeks to Create Oil Reserve," *Washington Times*, 14 October 2002.

66. KUNG Shuang-yin, "Invest \$100 Billion in Building Strategic Oil system," *Ta Kung Pao*, 13 November 2002, FBIS translated text CPP20021113000014.

67. Such a plan was first called for by Premier Zhu Rongji at the Fourth Session of the Ninth National People's Congress. *Id.* See also "China Implements Oil Reserve Project," *Renmin Ribao*, 6 March 2004.

China.’”⁶⁸ As part of this plan, China is slated to build four coastal strategic oil bases to house its reserves: one each in Huangdao and Dalian that have already been approved, as well as two others in Dayawan and Zhanjiang (both in Guangdong Province), where approval is still pending.⁶⁹ In addition, a nationwide project, organized jointly by the Ministry of Land and Resources and the National Development and Reform Commission, has been launched to assess the capacity of China’s more than 400 oil and gas sources.⁷⁰

Largely inward-looking, the new Oil Strategy calls for “more channels for oil import, accelerated oil extraction, and limit[ed] gas export[s],”⁷¹ as well as further cooperation in the practice known as cross-boundary “oil sharing.”⁷² Yet the upshot to this strategy is obvious: For the plan to work, China must actively procure an increasing number of additional energy sources in the coming years.⁷³ Unfortunately for Beijing, securing such cooperation has been much easier said than done.⁷⁴

68. KUNG Shuang-yin, *supra* note 66.

69. GAO Lanrong, “China to Establish Four Coastal Strategic Oil Reserves,” *Renmin Ribao*, 4 December 2003.

70. See “Project to Assess Energy Reserves,” *Renmin Ribao*, 2 December 2003. As with similar state-mandated assessments that took place in the 1980s and 1990s, the project is being carried out by the country’s four conglomerates, China National Petroleum Corporation, China Petroleum & Chemical Corporation, China National Offshore Corporation, and China United Coalbed Methane Company. *Id.* Though probably unrelated to this review, six new fields surrounding the Shengli Oilfield in East China were discovered in April 2004 that hold an estimated 280 million tons. “New Oil Finds of 280 Million Tons to Ease National Thirst,” *Renmin Ribao*, 6 April 2004.

71. “China Takes Measures to Maintain Steady Oil Supply,” *Renmin Ribao*, 22 March 2003.

72. “China and many foreign joint projects have adopted the business model called ‘oil sharing,’ i.e., through China’s participation in the stock sharing or direct investment in the construction of foreign oil fields and facilities, China each year gets a certain share of the oil output from the oil projects concerned.” See LI Dingxin, *supra* note 59. For example, the joint project China Petroleum and Gas Group can now produce 19 million tons of oil annually, of which China’s “share” is nine million tons. *Id.*

73. The Chinese gaze is by no means limited solely to Central Asia. In early 2004, the PRC concluded oil agreements with Algiers and Egypt, in addition to their already existing agreement with Gabon. See “Experts: China Have an Eye to African, S. American Oil,” *Renmin Ribao*, 28 February 2004. The PRC has also set its sights on increased imports from Indonesia, Sudan, and Venezuela. “China Takes Measure to Maintain Steady Oil Supply,” *Renmin Ribao*, 22 March 2003.

74. According to the International Energy Agency (IEA), “[t]he breakneck pace of Chinese economic expansion is rapidly changing the oil demand map.” See “China Changing World Oil-Demand Map,” *Renmin Ribao*, 14 November 2003 (quoting a November 2003 IEA report).

China has not always intended to wager its future on a multi-lateral arrangement in the heart of former Soviet Central Asia: It was originally believed that a strong relationship with Russia would be enough to weather the storm and provide the Chinese economy with all the oil and gas imports it would need.⁷⁵ Indeed, "on paper," Russia has the capabilities to do just that.⁷⁶ Unfortunately for China, Russian cooperation has not been very forthcoming. Despite grandiose expressions of brotherhood by the Russians ("[T]oday we have full understanding with China on international issues. There is not a single international issue on which our positions differ. . ."⁷⁷), the Sino-Russian relationship has undergone a dizzying series of highs and lows over the past half-decade.⁷⁸ Ultimately, China has recognized that depending on a bilateral relationship with Russia to be a reliable energy partner is not a strategy worth betting the farm on, and consequently, "a major factor in China's intense flirtation with Central Asia countries [has in fact been] its 'deteriorating energy partnership' with Russia."⁷⁹

75. To some degree, the Chinese and Russian media still feel the need to maintain this illusion. See, e.g., Russian Foreign Minister: Current Relations Between Russia and China are the Best in the Their History," *Novosti* [Russian Information Agency], 28 January 2004 (where Russian Foreign Minister Igor Ivanov characterizes current Russian-Chinese relations "as the best in their history as a whole."); ZHENG Yu, "Sino-Russian Strategic Cooperation Remains Full of Life," *Wen Wei Po*, 7 July 2002, FBIS translated text CPP20020708000013; "Russian-Chinese Ties Important or World Stability: Russian Premier," *Renmin Ribao*, 28 April 2002; "Russian-China Trade to Hit New High: Russian PM," *Renmin Ribao*, 21 August 2002; "China-Russia Trade Grows Strongly," *Renmin Ribao*, 2 October 2002 ("Two way trade between China and Russia saw strong growth. . .and may possibly reach 12 billion US dollars for the whole year, an increase of 2 billion dollars over last year."); "Russia, China Strategic Partners: Kasyanov," *Renmin Ribao*, 20 August 2001 (quoting Russia's then-prime minister).

76. "Russia: Oil and Gas Export Pipelines," *Energy Information Administration (EIA) Report*, November 2002, available at <<http://www.eia.doe.gov/emeu/cabs/russpip.html>>.

77. "Russian Foreign Minister Announces Further Expansion of Ties with China," *Moscow Interfax*, 2 July 2002 (quoting Russian then-Foreign Minister Igor Ivanov, 2 July 2002).

78. A high point for Sino-Russian rapprochement may have been the July 2001 Treaty on Good Neighborly Friendship and Cooperation between the People's Republic of China and the Russian Federation, but relations have been anything but fluid since. CSIS report, *supra* note 10, at 11. See also "We Shouldn't Be Afraid of China," *Izvestia*, 22 March 2004; "Russia Shouldn't Be Afraid of China's Development," *Renmin Ribao*, 24 March 2004.

79. Ilan Berman, "East of the Oder: The Great Game's Newest Player Speaks Chinese," (on file with author). A refusal to rely solely on a Sino-Russian energy partnership has a historical as well as strategic element to it: Chinese leaders no doubt

B. Sino-Russian Bilateral Energy Cooperation: Unreliable at Best

In August 2002, Russia and China signed a joint communiqué vowing to “lay a foundation for long-term stability in trade cooperation” as well as expedite certain projects, such as the Sino-Russian oil pipeline.⁸⁰ This followed shortly after an agreement in July 2002 between Russian natural gas companies and China’s Petrochina Company (in conjunction with Shell and ExxonMobil) to create a joint venture for building the first “West-East” trans-China gas pipeline.⁸¹ Commentators have generally deemed this project a success.

However, China’s successes in its bilateral energy relations with Russia have paled in comparison to its setbacks. For instance:

- In 2001, China and Russia signed a major energy accord under which Russia’s YUKOS oil conglomerate and the China National Petroleum Company (CNPC) would collaborate on a 2,250 kilometer pipeline linking the Siberian city of Angarsk to Daqing (in Heilongjiang, China’s most northeastern province).⁸² This pipeline, which was originally to be operational by 2005, was to provide China with 20-30 million tons of oil annually for a 25-year period.

In early 2003, however, the future of the Angarsk-Daqing pipeline was cast into uncertainty following reports that Russia was rethinking the route in favor of a potentially more lucrative pipeline to Japan through the Russian Far East.⁸³ An escalating Russian clampdown on YUKOS for corruption has furthered clouded the pipeline’s prospects

remember back to the 1960s, when the sudden withdrawal of Soviet experts and technical support for the Chinese oil industry caused severe energy shortages across the PRC.

80. “Sino-Russian Joint Communiqué Pledges to Boost Trade Cooperation, Solve ‘Problems,’” *Xinhua*, 22 August 2002.

81. FBIS title: “Report on Russian Involvement in China’s West-East Gas Pipeline,” (citing Mikhail Klasson, “Gazprom Cuts a Window into Asia,” *Moscow Vremya MN*, 10 July 2002).

82. David Murphy, “Asia’s Pipeline Politics,” *Far Eastern Economic Review*, 24 July 2003. See also HUO Yongzhe, “Sino-Russian ‘Pipe Dream’ To Come True for Oil, Gas Project,” *China Daily* [Business Weekly Supplement], 3 September 2002.

83. “BP Considers Intermediating China-Russia Oil Cooperation,” *Renmin Ribao*, 21 November 2003; “China, Russia to Honor Commitments on Oil Pipeline: FN,” *Renmin Ribao*, 18 November 2003.

for success, though politicians on both sides have denied any fallout.⁸⁴

The failure of this pipeline would have far-reaching consequences. Not only would China lose the valuable Angarsk oil imports, but it has been reported that only if and when that deal is finalized and the pipeline is actually under construction can talks be concluded on a 4,800 kilometer (US\$10 billion) gas pipeline — the longest of its kind in Asia — that China hopes will run parallel to the Angarsk line, extending all the way to Daqing before swinging south through Beijing and the port city of Dalian and finally across the sea to South Korea.⁸⁵ The fact that all sides are aware of this connection has decreased China's leverage considerably.

- In December 2002, China Petroleum and Gas Group was forced to abandon its quest to purchase Russia's eighth-largest oil company, Slavic, Inc., at auction because the Russian Parliament at the last minute passed a provisional bill prohibiting foreign enterprises from bidding on Russian companies.⁸⁶
- In late February 2004, Russian Energy Minister Igor Yusufov admitted that Russia was formally studying the prospects of the rumored US\$5-7 billion oil pipeline to Japan, a plan that would effectively put an end to the Angarsk-Daqing project.⁸⁷ The Chinese newspaper *Renmin Ribao* (*People's Daily*) in late February 2004 cautioned its readers that China must "make preparations for the possi-

84. See "Yukos Case not to Affect China-Russia Oil Pipeline: FM," *Renmin Ribao*, 5 November 2003; "Arrest of Russia's Richest not to Affect Sino-Russian Oil Trade: Russian Deputy FM," *Renmin Ribao*, 31 October 2003.

85. David Murphy, "Asia's Pipeline Politics," *Far Eastern Economic Review*, 24 July 2003; "Russia-China-Korea Gas Project Ready for Official Approval," *Renmin Ribao*, 15 November 2003.

86. LI Dingxin, *supra* note 59.

87. See "Crude-Oil Quandary Causes Concern: News Analysis," *Renmin Ribao*, 24 February 2004 ("Experts warned that a collapse of the Sino-Russian pipeline project would damage the relationship between the two neighboring countries. . . . China had pinned high hopes on the crude oil pipeline after the two countries signed a non-bidding agreement for the project last March" allowing Russia to ship 700 million tons of Russian crude through the pipeline to China over the next 25 years.)

ble failure of the agreement,” an ominous statement to be found published in a state-run news source.⁸⁸

The fact that the Sino-Russian bilateral energy partnership has proven so unreliable is the major reason why the SCO — and ultimately the SCO free trade zone — have become so important in Chinese strategic thinking. These setbacks have convinced China that it must do everything in its power to increase its ties with Central Asia — and to a lesser extent Russia — in order to minimize the possibility of such failures in the future.⁸⁹ The best, and perhaps only way, for China to ensure such success is to create an all-purpose economic and trade “cocoon” around the SCO area. In the words of one Central Asia expert, “The Chinese view as far as Central Asia is concerned is the more trade integration, the more influence, and the more influence, the more able they will be to sink their hooks in when it comes to energy. The Chinese are willing to make whatever deals are necessary to cement these relationships. You simply cannot put a dollar value on what the Chinese are trying to accomplish — and they don’t.”⁹⁰

VI. CONCLUSION

For China, energy concerns dominate the national agenda and to a large extent, that agenda now dominates the SCO. Yet China is hardly the only SCO nation that stands to gain from a stronger regional trading arrangement.

88. *Id.* See also “China Pins Hopes on Oil Project with Russia,” *Renmin Ribao*, 23 March 2004. In late March 2004, YUKOS was reported to have signed a deal with Russian Railways to more than double its railway delivery of oil export to China in 2004, with the amount increasing “by five times” by 2006. “Contract Ensures More Oil Delivery to China,” *Renmin Ribao*, 29 March 2004. See also “Russia Welcomes China to Participate in East Serbia Oil Development,” *Renmin Ribao*, 29 March 2004. It is still unclear whether these are signs of increased Sino-Russian oil cooperation, or simply concessions to China that portend the demise of the Angarsk-Daqing line.

89. In May 2003, in yet another setback for China, the subsidiary of British petroleum powerhouse BG officially informed China Ocean Petroleum Corporation that BG had decided to exercise the preemption right to purchase the northern Caspian oil and gas development projects in Kazakhstan out from under the nose of China. In effect, BG agreed to sell to others what it had originally agreed to sell to China: an 8.33% interest in the Kashagan oil and gas field. See LI Dingxin, *supra* note 59. See also Louisa Kim, “China and Central Asia boost ties,” *BBC China*, 23 September 2003, available at <<http://news.bbc.co.uk/go/pr/fr/-/2/hi/asia-pacific/3130852.stm>>.

90. Personal interview with U.S. Department of Defense expert on Central Asia (22 November 2003) (on file with author). This quote is from the second of four interviews I had with this Pentagon official in the latter months of 2003.

For Russia, the advantages of further trade cooperation and integration in an SCO free trade pact are also apparent. Despite the volatility of the Sino-Russian energy relationship, Sino-Russian trade in general is an important facet of the Russian economy,⁹¹ and especially crucial in specific industries such as timber,⁹² steel,⁹³ and weaponry.⁹⁴ The latter is particularly key, with the Chinese military almost single-handedly responsible for keeping the Russian military-industrial complex afloat. Russia also places a premium on Sino-Russian technical and scientific cooperation, which — coincidentally or not — has been increasing rapidly in the years since increased SCO integration (including the free trade area) was proposed.⁹⁵ Also, from a geo-political standpoint, incorporating China into a regional mechanism — rather than competing against it for influence, as it did to some extent following the collapse of the Soviet Union — has many advantages, not least of which is allowing the group to form a common front against the growing U.S. presence in the region.

91. "Russia Is Main Supplier of Strategic Goods to China," *Pravda*, 23 May 2003; "Trade between Russia, China Will Grow 20-30% This Year," *Pravda*, 26 June 2003; "Sino-Russian Ties Curb U.S. Pressures: News Analysis," *Renmin Ribao*, 10 June 2002; "China, Russia Vow to Expand Economic and Trade Cooperation," *China Daily*, 22 September 2003 ("The two sides also agreed that Russia would export 4.5 million to 5.5 million tons of oil to China from 2004 to 2006, and is later expected to export 15 million tons annually").

92. See Masanobu YAMANE & Wenming LU, "The Recent Russia-China Timber Trade – A Strategic Overview," available at <<http://www.iges.or.jp/en/fc/phase1/ir99/4-11-yamane.pdf>>.

93. The issue of steel imports has become even more crucial following the antidumping measures China instituted on Russian steel exports in 2002. See "Russian Steel Deliveries to Chinese Market," *Pravda*, 5 September 2002.

94. See "Russia's Arms Sales Amount to U.S.\$4.82 Billion in 2002," *Renmin Ribao*, 25 April 2003; "Russia to Sell Sukhoi Fighters to China in \$1 Billion Deal," *CNN.com*, 10 December 1999, available at <<http://www.freeseasia.net/Articles/1999/Sukhoi.html>> (reprinting CNN article); "New Developments in Russia-China Military Relations," *Report to the China Economic and Security Review Commission* (August 2003), available at <<http://www.uscc.gov/mair1.htm>>; "Russia, China to Mount Cooperation in Aircraft Development," *Moscow Agentstvo Voyennykh Novostey*, 6 November 2002, FBIS transcribed text CEP20021106000268 (detailing Sino-Russian deal on TU-204 aircraft).

95. "Kasyanov Says Russian-Sino Cooperation is Currently Developing Even Quicker in All Areas," *Xinhua*, 22 August 2002. In July 2002, Russia and China announced their intentions to cooperate in nuclear research and a month later, in space research. "Russia, China to cooperate in nuclear research," *Moscow ITAR-TASS*, 9 July 2002; "China, Russia To Boost Science Cooperation," *Xinhua*, 4 July 2002; Vladimir Pavlov & Vera Pavlova, "Russia Prepared to Cooperate with China in Space Research," *Moscow ITAR-TASS*, 21 August 2002, FBIS transcribed text CEP20020821000042.

As to what the Central Asian states get out of increased SCO integration, the answer is clear: two mammoth export markets and other concessions virtually across the board. In addition to providing a considerable consumer market for Central Asian goods and services⁹⁶ (not to mention energy exports), SCO cooperation has encouraged Russia and China to concede on long-standing border disputes (nationalistic victories that these states would have otherwise lacked the leverage to negotiate),⁹⁷ provide assistance and funding against Islamic “terrorist” insurgents in the region⁹⁸ (forces that threaten the stability of the Central Asian ruling regimes), provide weapons and security guarantees,⁹⁹ and provide a host of other

96. “SCO Member States Hope to Further Spur Regional Economic Cooperation,” *Renmin Ribao*, 29 May 2002 (According to the Kyrgyz Deputy Finance Minister, “over 50 percent of Kyrgyzstan’s annual trade volume is achieved through economic and trade cooperation with SCO members.”). In similar statements, the Kazakh Economy and Trade Minister affirmed that SCO cooperation will be of “key assistance” for Kazakhstan in further developing its overseas oil markets. *Id.*

97. For example, in June 2002, on the ten-year anniversary of diplomatic relations between the two countries, Kyrgyzstan and China signed a “Treaty of Friendship, Cooperation, and Neighborly Relations,” effectively settling a border dispute that had been hampering relations between the two countries as well as the source of widespread protests in Kyrgyzstan. “Border Deal Seen as Landmark in Kyrgyz-China Relations,” *Bishkek Kyrgyz Television 1*, 12 August 2002, FBIS translated text CEP20020813000194.

98. For example, in August 2002, Russia and Kazakhstan performed joint military action — the so-called “Sea of Peace - 2002” anti-terrorism exercises — in the Mangistau region of southwestern Kazakhstan. In October 2002, China and Kyrgyzstan participated in another SCO “anti-terrorism exercise” — the first-ever joint military exercise for the Chinese military. Most notably, in August 2003, the entire SCO launched its first large-scale joint anti-terrorism exercise — this representing the first *multilateral* military exercise ever undertaken by the Chinese military. See “Central Asia: Shanghai Cooperation Organization Makes Military Debut,” *Radio Free Liberty*, available at <<http://www.globalsecurity.org/military/library/news/2003/08/mil-030805-rfel-154708.htm>>; also “Kazakhstan: Minister Sees Caspian Exercises as Landmark in Cooperation with Russia,” *Almaty Khabar Television*, 16 August 2002, FBIS translated text CEP20020817000045; “China, Kyrgyzstan Plan Large-Scale Anti-Terrorism Exercise,” *Agence France Presse*, 16 September 2002, FBIS transcribed text CPP20020916000060; Mark O’Neill, “PLA gears for first exercises with foreign army,” *South China Morning Post*, 17 September 2002, p.1. The Chinese also offered anti-terrorism training to Kyrgyz army officers. “Chinese military to Train Kyrgyz Officers to Combat Terrorism,” *Bishkek Infocentre*, 13 August 2002, FBIS translated text CEP20020813000232; “SCO Launches Joint Exercise,” *China Daily*, 7 August 2003; “SCO Joint Anti-terror Drill Concludes,” *Xinhua*, 13 August 2003.

99. See e.g., “Kazakhstan Wants Navy of Its Own on Caspian; Russia Ready to Help,” *Pravda*, 12 December 2003, available at <<http://newsfromrussia.com/main/2003/12/12/51785.html>>; Yekaterina Tvorogova, “Russian Comrade or American Dream,” *Almaty Delovaya Nedelya*, No. 23, 21 June 2002, p.11, FBIS translated text CEP200207020000390 (In June 2002, Russia pledged to supply Kyrgyzstan with approxi-

financial considerations, including short-term loans and technical assistance programs.¹⁰⁰

This is not to say that the formation of a free trade zone under Chinese or any other parameters is a done deal. Many U.S. government officials, in fact, remain convinced that all the free trade talk is simply for show, a rhetorical façade for the organization's growth as a regional security body. In the words of one such official:

The Shanghai group was clearly set up for political reasons — to establish a multilateral sphere of influence in Central Asia that would exclude the U.S. — but it naturally assumed an important economic component with petroleum. The question is whether there's enough other potential trade among those countries to justify a viable free-market community. Probably not, though I recall that the present European Union started out as a simple iron and coal arrangement between Germany and France.¹⁰¹

Even disregarding such doubts, it is inevitable that there will also be internal problems in implementing a free trade zone, for all six nations have myriad reasons — both historical and practical — to mistrust the others and to resist over-integration. Still, the naturally synergistic relationship between the gas-guzzling Chinese and the energy rich Russia and Central Asian “-Stans” suggests that increased cooperation will ultimately be forthcoming.¹⁰² If so, further integration and a true free trade area may soon follow closely behind.

mately \$600,000 worth of security equipment and facilities, in addition to future assistance).

100. For example, in August 2002, Uzbek and Chinese banks signed a credit agreement worth \$29 million. “Uzbekistani, Chinese Banks Sign a Credit Agreement Worth \$29 Million,” *Tashkent Uzbekistan National News Agency*, 20 August 2002. China has also promised financial assistance to Kyrgyzstan and Tajikistan.

101. Personal interview with former U.S. Principal Deputy Assistant Secretary of Energy Barton Marcois, 16 November 2003 (on file with author). Mr. Marcois resigned his post in late 2003.

102. Amazingly, the plan may already be bearing fruit. In March 2004, China and Kazakhstan announced plans for the construction of a US\$3 billion pipeline (beginning July 2004) that will link western Chinese refineries with the just-finished Atyrau-Kenkiyak pipeline in western Kazakhstan. “Sino-Kazakh Oil Pipeline to Begin Construction,” *Renmin Ribao*, 11 March 2004. First proposed in 1997, this pipeline will represent China's first ever major land-based oil import route. *Id.*

Maryland Series
in Contemporary Asian Studies
(Formerly Occasional Papers/Reprints Series
in Contemporary Asian Studies, 1977-1999)

500 West Baltimore Street
Baltimore, Maryland 21201-1786
U.S.A.

Tel: (410) 706-3870

Fax: (410) 706-1516

(For back issues, new prices effective from October 1, 1991)

1977 Series

- | | | |
|--|-----------------------|---------------------------|
| No. 1 - 1977 | ISSN 0730-0107 | ISBN 0-942182-00-6 |
| Chinese Attitude Toward Continental Shelf and Its Implication on De-
limiting Seabed in Southeast Asia (Hungdah Chiu), 32 pp. | | |
| | | \$3.00 |
| No. 2 - 1977 | ISSN 0730-0107 | ISBN 0-942182-01-4 |
| Income Distribution in the Process of Economic Growth of the Repub-
lic of China (Yuan-Li Wu), 45 pp. | | |
| | | \$3.00 |
| No. 3 - 1977 | ISSN 0730-0107 | ISBN 0-942182-02-2 |
| The Indonesian Maoists: Doctrines and Perspectives (Justus M. van der
Kroef), 31 pp. | | |
| | | \$3.00 |
| No. 4 - 1977 | ISSN 0730-0107 | ISBN 0-942182-03-0 |
| Taiwan's Foreign Policy in the 1970s: A Case Study Adaptation and
Viability (Thomas J. Bellows), 22 pp. | | |
| | | \$3.00 |
| No. 5 - 1977 | ISSN 0730-0107 | ISBN 0-942182-04-9 |
| Asian Political Scientists in North America: Professional and Ethnic
Problems (Edited by Chun-tu Hsueh), 148 pp. Index | | |
| | | \$6.00 |
| No. 6 - 1977 | ISSN 0730-0107 | ISBN 0-942182-05-7 |
| The Sino-Japanese Fisheries Agreement of 1975: A Comparison with
Other North Pacific Fisheries Agreements (Song Yook Hong), 80
pp. | | |
| | | \$5.00 |

- No. 5 - 1978 (17)** **ISSN 0730-0107** **ISBN 0-942182-16-2**
The Role of Law in the People's Republic of China as Reflecting Mao
Tse-Tung's Influence (Shao-chuan Leng), 18 pp. \$3.00
- No. 6 - 1978 (18)** **ISSN 0730-0107** **ISBN 0-942182-17-0**
Criminal Punishment in Mainland China: A Study of Some Yunnan
Province Documents (Hungdah Chiu), 35 pp. \$3.00
- No. 7 - 1978 (19)** **ISSN 0730-0107** **ISBN 0-942182-18-9**
A Guide to the Study of Japanese Law (Lawrence W. Beer and Hide-
nori Tomatsu), 45 pp. \$4.00
- No. 8 - 1978 (20)** **ISSN 0730-0107** **ISBN 0-942182-19-7**
The Pueblo, EC-121, and Mayaguez Incidents: Some Continuities and
Changes (Robert Simmons), 40 pp. \$4.00
- No. 9 - 1978 (21)** **ISSN 0730-0107** **ISBN 0-942182-20-0**
Two Korea's Unification Policy and Strategy (Yong Soon Yim), 82 pp.
Index \$4.00

1979 Series

- No. 1 - 1979 (22)** **ISSN 0730-0107** **ISBN 0-942182-21-9**
Asian Immigrants and Their Status in the U.S. (Edited by Hungdah
Chiu), 54 pp. \$4.00
- No. 2 - 1979 (23)** **ISSN 0730-0107** **ISBN 0-942182-22-7**
Social Disorder in Peking After the 1976 Earthquake Revealed by a
Chinese Legal Documents (Hungdah Chiu), 20 pp. \$4.00
- No. 3 - 1979 (24)** **ISSN 0730-0107** **ISBN 0-942182-23-5**
The Dragon and the Eagle — A Study of U.S.-People's Republic of
China Relations in Civil Air Transport (Jack C. Young), 65 pp. \$5.00
- No. 4 - 1979 (25)** **ISSN 0730-0107** **ISBN 0-942182-24-3**
Chinese Women Writers Today (Edited by Wai-lim Yip and William
Tay), 108 pp. \$5.00
- No. 5 - 1979 (26)** **ISSN 0730-0107** **ISBN 0-942182-25-1**
Certain Legal Aspects of Recognizing the People's Republic of China
(Hungdah Chiu), 49 pp. \$4.00
- No. 6 - 1979 (27)** **ISSN 0730-0107** **ISBN 0-942182-26-X**
China's Nationalization of Foreign Firms: The Politics of Hostage Capi-
talism, 1949-1957 (Thomas N. Thompson), 80 pp. Index \$5.00

No. 7 - 1979 (28) **ISSN 0730-0107** **ISBN 0-942182-27-8**
U.S. Status of Force Agreement with Asian Countries: Selected Studies
(Charles Cochran and Hungdah Chiu), 130 pp. Index \$4.00

No. 8 - 1979 (29) **ISSN 0730-0107** **ISBN 0-942182-28-6**
China's Foreign Aid in 1978 (John F. Copper), 45 pp. \$4.00

1980 Series

No. 1 - 1980 (30) **ISSN 0730-0107** **ISBN 0-942182-29-4**
The Chinese Connection and Normalization (Edited by Hungdah Chiu
and Karen Murphy), 200 pp. Index \$7.00

No. 2 - 1980 (31) **ISSN 0730-0107** **ISBN 0-942182-30-8**
The Conceptual Foundations of U.S. China Policy: A Critical Review
(James C. Hsiung), 17 pp. \$3.00

No. 3 - 1980 (32) **ISSN 0730-0107** **ISBN 0-942182-31-6**
Policy, Proliferation and the Nuclear Proliferation Treaty: U.S. Strate-
gies and South Asian Prospects (Joanne Finegan), 61 pp. \$4.00

No. 4 - 1980 (33) **ISSN 0730-0107** **ISBN 0-942182-32-4**
A Comparative Study of Judicial Review Under Nationalist Chinese
and American Constitutional Law (Jyh-pin Fa), 200 pp. Index (out
of print) \$6.00

No. 5 - 1980 (34) **ISSN 0730-0107** **ISBN 0-942182-33-2**
Certain Problems in Recent Law Reform in the People's Republic of
China (Hungdah Chiu), 34 pp. \$4.00

No. 6 - 1980 (35) **ISSN 0730-0107** **ISBN 0-942182-34-0**
China's New Criminal & Criminal Procedure Codes (Hungdah Chiu),
16 pp. \$3.00

No. 7 - 1980 (36) **ISSN 0730-0107** **ISBN 0-942182-35-9**
China's Foreign Relations: Selected Studies (Edited by F. Gilbert Chan
& Ka-che Yip), 115 pp. (out of print) \$5.00

No. 8 - 1980 (37) **ISSN 0730-0107** **ISBN 0-942182-36-7**
Annual Review of Selected Books on Contemporary Asian Studies
(1979-1980) (Edited by John F. Copper), 45 pp. \$4.00

1981 Series

No. 1 - 1981 (38) **ISSN 0730-0107** **ISBN 0-942182-37-5**
Structural Changes in the Organization and Operation of China's Crim-
inal Justice System (Hungdah Chiu), 31 pp. \$3.00

- No. 2 - 1981 (39)** **ISSN 0730-0107** **ISBN 0-942182-38-3**
Readjustment and Reform in the Chinese Economy (Jan S. Prybyla), 58 pp. \$3.00
- No. 3 - 1981 (40)** **ISSN 0730-0107** **ISBN 0-942182-39-1**
Symposium on the Trial of Gang of Four and Its Implication in China (Edited by James C. Hsiung), 118 pp. \$5.00
- No. 4 - 1981 (41)** **ISSN 0730-0107** **ISBN 0-942182-40-5**
China and the Law of the Sea Conference (Hungdah Chiu), 30 pp. \$4.00
- No. 5 - 1981 (42)** **ISSN 0730-0107** **ISBN 0-942182-41-3**
China's Foreign Aid in 1979-80 (John Franklin Copper), 54 pp. \$4.00
- No. 6 - 1981 (43)** **ISSN 0730-0107** **ISBN 0-942182-42-1**
Chinese Regionalism: Yesterday and Today (Franz Michael), 35 pp. \$4.00
- No. 7 - 1981 (44)** **ISSN 0730-0107** **ISBN 0-942182-43-X**
Elite Conflict in the Post-Mao China (Parris H. Chang), 40 pp. \$4.00
(Out of print, please order No. 2 - 1983 (55) for a revised version of this issue.)
- No. 8 - 1981 (45)** **ISSN 0730-0107** **ISBN 0-942182-44-8**
Proceedings of Conference on Multi-system Nations and International Law: International Status of Germany, Korea, and China (Edited by Hungdah Chiu and Robert Downen), 203 pp. Index (out of print) \$8.00

1982 Series

- No. 1 - 1982 (46)** **ISSN 0730-0107** **ISBN 0-942182-45-6**
Socialist Legalism: Reform and Continuity in Post-Mao People's Republic of China (Hungdah Chiu), 35 pp. \$4.00
- No. 2 - 1982 (47)** **ISSN 0730-0107** **ISBN 0-942182-46-4**
Kampuchea: The Endless Tug of War (Justus M. Van der Kroef), 51 pp. \$4.00
- No. 3 - 1982 (48)** **ISSN 0730-0107** **ISBN 0-942182-47-2**
Social Change on Mainland China and Taiwan, 1949-1980 (Alan P.L. Liu), 55 pp. (out of print) \$5.00
- No. 4 - 1982 (49)** **ISSN 0730-0107** **ISBN 0-942182-48-0**
Taiwan's Security and United States Policy: Executive and Congressional Strategies in 1978-1979 (Michael S. Frost), 39 pp. \$4.00

- No. 5 - 1982 (50)** **ISSN 0730-0107** **ISBN 0-942182-49-9**
 Constitutional Revolution in Japanese Law, Society and Politics (Law-
 rence W. Beer), 35 pp. \$4.00
- No. 6 - 1982 (51)** **ISSN 0730-0107** **ISBN 0-942182-50-2**
 Review of Selected Books on Contemporary Asian Studies, 1981-1982
 (Edited by David Salem, Roy Werner and Lyushen Shen), 67 pp. \$4.00
- No. 7 - 1982 (52)** **ISSN 0730-0107** **ISBN 0-942182-51-0**
 Chinese Law and Justice: Trends Over Three Decades (Hungdah Chiu),
 39 pp. \$4.00
- No. 8 - 1982 (53)** **ISSN 0730-0107** **ISBN 0-942182-52-9**
 Disarmament and Civilian Control in Japan: A Constitutional Dilemma
 (Theodore McNelly), 16 pp. \$4.00

1983 Series

- No. 1 - 1983 (54)** **ISSN 0730-0107** **ISBN 0-942182-53-7**
 Essays on Sun Yat-sen and the Economic Development of Taiwan (Ma-
 ria Hsia Chang and A. James Gregor), 60 pp. \$3.00
- No. 2 - 1983 (55)** **ISSN 0730-0107** **ISBN 0-942182-54-5**
 Elite Conflict in the Post-Mao China (Revised version of No. 7-1981
 (44)) (Parris H. Chang), 48 pp. \$3.00
- No. 3 - 1983 (56)** **ISSN 0730-0107** **ISBN 0-942182-55-3**
 Media-Coverage on Taiwan in The People's Republic of China (Jörg-M.
 Rudolph), 77 pp. \$4.00
- No. 4 - 1983 (57)** **ISSN 0730-0107** **ISBN 0-942182-56-1**
 Transit Problems of Three Asian Land-locked Countries: Afghanistan,
 Nepal and Laos (Martin Ira Glassner), 55 pp. \$3.00
- No. 5 - 1983 (58)** **ISSN 0730-0107** **ISBN 0-942182-57-X**
 China's War Against Vietnam: A Military Analysis (King C. Chen),
 33 pp. \$3.00
- No. 6 - 1983 (59)** **ISSN 0730-0107** **ISBN 0-942182-58-8**
 The People's Republic of China, International Law and Arms Control
 (David Salem), 325 pp. Index \$7.00
 (Hardcover edition published in *Maryland Studies in East Asian Law and*
Politics Series, No. 3, ISBN 0-942182-59-6) \$15.00

1984 Series

- No. 1 - 1984 (60)** **ISSN 0730-0107** **ISBN 0-942182-60-X**
China's Nuclear Policy: An Overall View (Shao-chuan Leng), 18 pp. \$3.00
- No. 2 - 1984 (61)** **ISSN 0730-0107** **ISBN 0-942182-61-8**
The Communist Party of China: Party Powers and Group Politics from the Third Plenum to the Twelfth Party Congress (Hung-mao Tien), 30 pp. \$3.00
- No. 3 - 1984 (62)** **ISSN 0730-0107** **ISBN 0-942182-62-6**
Legal Problems of Seabed Boundary Delimitation in the East China Sea (Ying-jeou Ma), 308 pp. Index (paperback out of print) \$10.00
(Hardcover edition published in *Maryland Studies in East Asian Law and Politics Series*, No. 4, ISBN 0-942182-63-4) \$15.00
- No. 4 - 1984 (63)** **ISSN 0730-0107** **ISBN 0-942182-64-2**
A New Direction in Japanese Defense Policy: Views from the Liberal Democratic Party Diet Members (Steven Kent Vogel), 63 pp. \$3.00
- No. 5 - 1984 (64)** **ISSN 0730-0107** **ISBN 0-942182-65-0**
Taiwan's Elections: Political Development and Democratization in the Republic of China (John F. Copper with George P. Chen), 180 pp. Index \$5.00
(Hardcover edition: ISBN 0-942182-66-9) \$10.00
- No. 6 - 1984 (65)** **ISSN 0730-0107** **ISBN 0-942182-67-7**
Cankao Xiaoxi: Foreign News in the Propaganda System of the People's Republic of China (Jörg-Meinhard Rudolph), 174 pp. Index \$5.00

1985 Series

- No. 1 - 1985 (66)** **ISSN 0730-0107** **ISBN 0-942182-68-5**
The Political Basis of the Economic and Social Development in the Republic of China (Alan P. L. Liu), 22 pp. \$3.00
- No. 2 - 1985 (67)** **ISSN 0730-0107** **ISBN 0-942182-69-3**
The Legal System and Criminal Responsibility of Intellectuals in the People's Republic of China, 1949-1982 (Carlos Wing-hung Lo), 125 pp. Index \$5.00
- No. 3 - 1985 (68)** **ISSN 0730-0107** **ISBN 0-942182-70-7**
Symposium on Hong Kong: 1997 (Edited by Hungdah Chiu), 100 pp. Index \$4.00

No. 4 - 1985 (69) **ISSN 0730-0107** **ISBN 0-942182-71-5**
The 1982 Chinese Constitution and the Rule of Law (Hungdah Chiu),
18 pp. \$3.00

No. 5 - 1985 (70) **ISSN 0730-0107** **ISBN 0-942182-72-3**
Peking's Negotiating Style: A Case study of U.S.-PRC Normalization
(Jaw-Ling Joanne Chang), 22 pp. \$3.00

No. 6 - 1985 (71) **ISSN 0730-0107** **ISBN 0-942182-73-1**
China's Marine Environmental Protection Law: The Dragon Creeping
in Murky Waters (Mitchell A. Silk), 32 pp. \$3.00

1986 Series

No. 1 - 1986 (72) **ISSN 0730-0107** **ISBN 0-942182-74-X**
From Tradition to Modernity: A Socio-Historical Interpretation on
China's Struggle toward Modernization Since the Mid-19th Cen-
tury (Wen-hui Tsai), 76 pp. \$4.00

No. 2 - 1986 (73) **ISSN 0730-0107** **ISBN 0-942182-75-8**
Peace and Unification in Korea and International Law (Byung-Hwa
Lyou), 205 pp. Index. \$8.00

No. 3 - 1986 (74) **ISSN 0730-0107** **ISBN 0-942182-76-6**
The Hong Kong Agreement and American Foreign Policy (Hungdah
Chiu), 18 pp. \$3.00

No. 4 - 1986 (75) **ISSN 0730-0107** **ISBN 0-942182-77-4**
United States-China Normalization: An Evaluation of Foreign Policy
Decision Making (Jaw-ling Joanne Chang), copublished with Mon-
ograph Series in World Affairs, University of Denver, 246 pp. In-
dex. (out of print) \$8.00
(Hardcover edition published in Maryland Studies in East Asian Law and Politics
Series, No. 7. ISBN 0-942182-78-2) \$12.00

No. 5 - 1986 (76) **ISSN 0730-0107** **ISBN 0-942182-79-0**
Communications and China's National Integration: An Analysis of
People's Daily and *Central Daily* on the China Reunification Issue
(Shuhua Chang), 205 pp. \$8.00

No. 6 - 1986 (77) **ISSN 0730-0107** **ISBN 0-942182-80-4**
Since Aquino: The Philippine Tangle and the United States (Justus M.
van der Kroef), 73 pp. \$3.00

1987 Series

- No. 1 - 1987 (78)** **ISSN 0730-0107** **ISBN 0-942182-81-2**
An Analysis of the U.S.-China Nuclear Energy Cooperation Agreement
(Benjamin Chin), 40 pp. \$3.00
- No. 2 - 1987 (79)** **ISSN 0730-0107** **ISBN 0-942182-82-0**
Survey of Recent Developments in China (Mainland and Taiwan), 1985-
1986 (edited by Hungdah Chiu, with the assistance of Jaw-ling Jo-
anne Chang), 222 pp. Index \$8.00
- No. 3 - 1987 (80)** **ISSN 0730-0107** **ISBN 0-942182-83-9**
Democratizing Transition in Taiwan (Yangsun Chou and Andrew J. Na-
than), 24 pp. \$3.00
- No. 4 - 1987 (81)** **ISSN 0730-0107** **ISBN 0-942182-84-7**
The Legal Status of the Chinese Communist Party (Robert Heuser),
25 pp. \$3.00
- No. 5 - 1987 (82)** **ISSN 0730-0107** **ISBN 0-942182-85-5**
The Joint Venture and Related Contract Laws of Mainland China and
Taiwan: A Comparative Analysis (Clyde D. Stoltenberg and David
W. McClure), 54 pp. (out of print) \$4.00
- No. 6 - 1987 (83)** **ISSN 0730-0107** **ISBN 0-942182-86-3**
Reform in Reverse: Human Rights in the People's Republic of China,
1986/1987 (Ta-Ling Lee and John F. Copper), 150 pp. \$8.00

1988 Series

- No. 1 - 1988 (84)** **ISSN 0730-0107** **ISBN 0-942182-87-1**
Chinese Attitudes toward International Law in the Post-Mao Era, 1978-
1987 (Hungdah Chiu), 41 pp. \$3.00
- No. 2 - 1988 (85)** **ISSN 0730-0107** **ISBN 0-942182-88-X**
Chinese Views on the Sources of International Law (Hungdah Chiu),
20 pp. \$3.00
- No. 3 - 1988 (86)** **ISSN 0730-0107** **ISBN 0-942182-89-8**
People's Republic of China: The Human Rights Exception (Roberta
Cohen), 103 pp. (out of print) \$5.00
- No. 4 - 1988 (87)** **ISSN 0730-0107** **ISBN 0-942182-90-1**
Settlement of the Macau Issue: Distinctive Features of Beijing's Negoti-
ating Behavior (with text of 1887 Protocol and 1987 Declaration)
(Jaw-ling Joanne Chang), 37 pp. \$3.00

No. 5 - 1988 (88) **ISSN 0730-0107** **ISBN 0-942182-91-X**
The Draft Basic Law of Hong Kong: Analysis and Documents (edited
by Hungdah Chiu), 153 pp. \$5.00

No. 6 - 1988 (89) **ISSN 0730-0107** **ISBN 0-942182-92-8**
Constitutionalism in Asia: Asian Views of the American Influence (ed-
ited by Lawrence W. Beer), 210 pp. (out of print) \$10.00

1989 Series

No. 1 - 1989 (90) **ISSN 0730-0107** **ISBN 0-925153-00-1**
The Right to a Criminal Appeal in the People's Republic of China
(Margaret Y.K. Woo), 43 pp. \$3.00

No. 2 - 1989 (91) **ISSN 0730-0107** **ISBN 0-925153-01-X**
The Status of Customary International Law, Treaties, Agreements and
Semi-Official or Unofficial Agreements in Chinese Law (Hungdah
Chiu), 22 pp. \$3.00

No. 3 - 1989 (92) **ISSN 0730-0107** **ISBN 0-925153-02-8**
One Step Forward, One Step Back, Human Rights in the People's Re-
public of China in 1987/88 (John F. Cooper and Ta-ling Lee), 140
pp. \$6.00

No. 4 - 1989 (93) **ISSN 0730-0107** **ISBN 0-925153-03-6**
Tibet: Past and Present (Hungdah Chiu and June Teufel Dreyer), 25 pp.
\$3.00

No. 5 - 1989 (94) **ISSN 0730-0107** **ISBN 0-925153-04-4**
Chinese Attitude toward International Law of Human Rights in the
Post-Mao Era (Hungdah Chiu), 38 pp. \$4.00

No. 6 - 1989 (95) **ISSN 0730-0107** **ISBN 0-925153-05-2**
Tibet to Tiananmen: Chinese Human Rights and United States Foreign
Policy (W. Gary Vause), 47 pp. \$4.00

1990 Series

No. 1 - 1990 (96) **ISSN 0730-0107** **ISBN 0-925153-06-0**
The International Legal Status of the Republic of China (Hungdah
Chiu), 20 pp. (Out of print, please order No. 5-1992 (112) for a
revised version of this issue) \$3.00

No. 2 - 1990 (97) ISSN 0730-0107 ISBN 0-925153-07-9

Tiananmen: China's Struggle for Democracy—Its Prelude, Development, Aftermath, and Impact (Winston L. Y. Yang and Marsha L. Wagner), 314 pp. Index (paperback out of print) \$8.00
(Hardcover edition published in *Maryland Studies in East Asian Law and Politics Series*, No. 11, ISBN 0-925153-08-7) \$14.00

No. 3 - 1990 (98) ISSN 0730-0107 ISBN 0-925153-09-5

Nationality and International Law in Chinese Perspective (Hungdah Chiu), 37 pp. \$4.00

No. 4 - 1990 (99) ISSN 0730-0107 ISBN 0-925153-10-9

The Taiwan Relations Act after Ten Years (Lori Fisler Damrosch), 27 pp. \$3.00

No. 5 - 1990 (100) ISSN 0730-0107 ISBN 0-925153-11-7

The Taiwan Relations Act and Sino-American Relations (Hungdah Chiu), 34 pp. (out of print) \$4.00

No. 6 - 1990 (101) ISSN 0730-0107 ISBN 0-925153-12-5

Taiwan's Recent Elections: Fulfilling the Democratic Promise (John F. Copper), 174 pp. Index (out of print) \$8.00

1991 Series

No. 1 - 1991 (102) ISSN 0730-0107 ISBN 0-925153-13-3

Legal Aspects of Investment and Trade with the Republic of China (Edited by John T. McDermott, with contributions by Linda F. Powers, Ronald A. Case, Chung-Teh Lee, Jeffrey H. Chen, Cheryl M. Friedman, Hungdah Chiu, K.C. Fan and Douglas T. Hung), 94 pp. \$6.00

No. 2 - 1991 (103) ISSN 0730-0107 ISBN 0-925153-14-1

Failure of Democracy Movement: Human Rights in the People's Republic of China, 1988/89 (Ta-ling Lee and John F. Copper), 150 pp. Index \$10.00

No. 3 - 1991 (104) ISSN 0730-0107 ISBN 0-925153-15-X

Freedom of Expression: The Continuing Revolution in Japan's Legal Culture (Lawrence W. Beer), 31 pp. \$5.00

No. 4 - 1991 (105) ISSN 0730-0107 ISBN 0-925153-16-8

The 1989 US-Republic of China (Taiwan) Fisheries Negotiations (Mark Mon-Chang Hsieh), 84 pp. \$6.00

No. 5 - 1991 (106) ISSN 0730-0107 ISBN 0-925153-17-6

Politics of Divided Nations: China, Korea, Germany and Vietnam — Unification, Conflict Resolution and Political Development (Edited by Quansheng Zhao and Robert Sutter), 198 pp. Index (out of print) \$12.00

No. 6 - 1991 (107) **ISSN 0730-0107** **ISBN 0-925153-18-4**
 Lawyers in China: The Past Decade and Beyond (Timothy A. Gelatt),
 49 pp. \$5.00

1992 Series

No. 1 - 1992 (108) **ISSN 0730-0107** **ISBN 0-925153-19-2**
 Judicial Review of Administration in the People's Republic of China
 (Jyh-pin Fa & Shao-chuan Leng), 37 pp. \$5.00

No. 2 - 1992 (109) **ISSN 0730-0107** **ISBN 0-925153-20-6**
 China's Ministry of State Security: Coming of Age in the International
 Arena (Nicholas Eftimiades), 24 pp. \$4.00

No. 3 - 1992 (110) **ISSN 0730-0107** **ISBN 0-925153-21-4**
 Libel Law and the Press in South Korea: An Update (Kyu Ho Youm),
 23 pp. \$5.00

No. 4 - 1992 (111) **ISSN 0730-0107** **ISBN 0-925153-22-2**
 Tiananmen Aftermath: Human Rights in the People's Republic of
 China, 1990 (John F. Copper and Ta-ling Lee), 133 pp. Index \$15.00

No. 5 - 1992 (112) **ISSN 0730-0107** **ISBN 0-925153-23-0**
 The International Legal Status of the Republic of China (Revised ver-
 sion of No. 1-1990 (96)) (Hungdah Chiu), 37 pp. \$4.00

No. 6 - 1992 (113) **ISSN 0730-0107** **ISBN 0-925153-24-9**
 China's Criminal Justice System and the Trial of Pro-Democracy Dissi-
 dents (Hungdah Chiu), 21 pp. \$3.00

1993 Series

No. 1 - 1993 (114) **ISSN 0730-0107** **ISBN 0-925153-25-7**
 Can One Unscramble an Omelet? China's Economic Reform in Theory
 and Practice (Yuan-li Wu and Richard Y. C. Yin), 34 pp. \$4.00

No. 2 - 1993 (115) **ISSN 0730-0107** **ISBN 0-925153-26-5**
 Constitutional Development and Reform in the Republic of China on
 Taiwan (With Documents) (Hungdah Chiu), 61 pp. \$6.00

No. 3 - 1993 (116) **ISSN 0730-0107** **ISBN 0-925153-27-3**
 Sheltering for Examination (*Shourong Shencha*) in the Legal System of
 the People's Republic of China (Tao-tai Hsia and Wendy I. Zeldin),
 32 pp. \$4.00

No. 4 - 1993 (117) ISSN 0730-0107 ISBN 0-925153-28-1

In Making China Modernized: Comparative Modernization between
Mainland China and Taiwan (Wen-hui Tsai), 281 pp. Index (out of
print, please order No. 5 - 1996 for 2nd ed.) \$18.00

No. 5 - 1993 (118) ISSN 0730-0107 ISBN 0-925153-30-3

Hong Kong's Transition to 1997: Background, Problems and Prospects
(with Documents) (Hungdah Chiu), 106 pp. \$7.00

No. 6 - 1993 (119) ISSN 0730-0107 ISBN 0-925153-31-1

Koo-Wang Talks and the Prospect of Building Constructive and Stable
Relations Across the Taiwan Straits (with Documents) (Hungdah
Chiu), 69 pp. \$5.00

1994 Series

No. 1 - 1994 (120) ISSN 0730-0107 ISBN 0-925153-32-X

Statutory Encouragement of Investment and Economic Development in
the Republic of China on Taiwan (Neil L. Meyers), 72 pp. \$7.00

No. 2 - 1994 (121) ISSN 0730-0107 ISBN 0-925153-33-8

Don't Force Us to Lie: The Struggle of Chinese Journalists in the Re-
form Era (Allison Liu Jernow), 99 pp. \$7.00

No. 3 - 1994 (122) ISSN 0730-0107 ISBN 0-925153-34-6

Institutionalizing a New Legal System in Deng's China (Hungdah
Chiu), 44 pp. \$5.00

No. 4 - 1994 (123) ISSN 0730-0107 ISBN 0-925153-35-4

The Bamboo Gulag: Human Rights in the People's Republic of China,
1991-1992 (Ta-ling Lee & John F. Copper), 281 pp. Index \$20.00

No. 5 - 1994 (124) ISSN 0730-0107 ISBN 0-925153-36-2

Taiwan's Legal System and Legal Profession (Hungdah Chiu and Jyh-
pin Fa), 22 pp. \$3.00

No. 6 - 1994 (125) ISSN 0730-0107 ISBN 0-925153-37-0

Toward Greater Democracy: An Analysis of the Republic of China on
Taiwan's Major Elections in the 1990s (Wen-hui Tsai), 40 pp. \$6.00

1995 Series

No. 1 - 1995 (126) ISSN 0730-0107 ISBN 0-925153-38-9

Relations between the Republic of China and the Republic of Chile
(Herman Gutierrez B. and Lin Chou), 31 pp. \$5.00

- No. 2 - 1995 (127) ISSN 0730-0107 ISBN 0-925153-39-7**
The Tibet Question and the Hong Kong Experience (Barry Sautman
and Shiu-hing Lo), 82 pp. \$10.00
- No. 3 - 1995 (128) ISSN 0730-0107 ISBN 0-925153-40-0**
Mass Rape, Enforced Prostitution, and the Japanese Imperial Army:
Japan Eschews International Legal Responsibility? (David Bo-
ling), 56 pp. \$5.00
- No. 4 - 1995 (129) ISSN 0730-0107 ISBN 0-925153-41-9**
The Role of the Republic of China in the World Economy (Chu-yuan
Cheng), 25 pp. \$3.00
- No. 5 - 1995 (130) ISSN 0730-0107 ISBN 0-925153-42-7**
China's Economy after Deng: A Long-Term Perspective (Peter C.Y.
Chow), 43 pp. \$5.00
- No. 6 - 1995 (131) ISSN 0730-0107 ISBN 0-925153-43-5**
An Entrepreneurial Analysis of Opposition Movements (Ching-chane
Hwang), 179 pp. Index \$18.00

1996 Series

- No. 1 - 1996 (132) ISSN 0730-0107 ISBN 0-925153-44-3**
Taiwan's 1995 Legislative Yuan Election (John F. Copper), 39 pp. \$6.00
- No. 2 - 1996 (133) ISSN 0730-0107 ISBN 0-925153-45-1**
Russian-Taiwanese Relations: Current State, Problems, and Prospects
of Development (Peter M. Ivanov), 76 pp. \$10.00
- No. 3 - 1996 (134) ISSN 0730-0107 ISBN 0-925153-46-X**
Recent Relations between China and Taiwan and Taiwan's Defense Ca-
pabilities (Hungdah Chiu & June Teufel Dreyer), 28 pp. \$4.00
- No. 4 - 1996 (135) ISSN 0730-0107 ISBN 0-925153-47-8**
Intellectual Property Protection in the Asian-Pacific Region: A Com-
parative Study (Paul C. B. Liu & Andy Y. Sun), 183 pp. Index. \$25.00
(Hardcover edition: ISBN 0-925153-48-6) \$32.00
- No. 5 - 1996 (136) ISSN 0730-0107 ISBN 0-925153-49-4**
In Making China Modernized: Comparative Modernization between
Mainland China and Taiwan (2nd ed.) (Wen-hui Tsai), 297 pp.
Index. \$30.00
(Hardcover edition: ISBN 0-925153-50-8) \$37.00

- No. 6 - 1996 (137) ISSN 0730-0107 ISBN 0-925153-51-6**
 A Study of the Consular Convention between the United States of
 America and the People's Republic of China (Stephen Kho), 68 pp.
 \$6.00

1997 Series

- No. 1 - 1997 (138) ISSN 0730-0107 ISBN 0-925153-52-4**
 Tiananmen to Tiananmen, China under Communism 1947-1996
 (Yuan-Li Wu), 348 pp. Index \$35.00
 (Hardcover edition: ISBN 0-925153-53-2) \$45.00
- No. 2 - 1997 (139) ISSN 0730-0107 ISBN 0-925153-54-0**
 The External Relations and International Status of Hong Kong (Ting
 Wai), 72 pp. \$8.00
- No. 3 - 1997 (140) ISSN 0730-0107 ISBN 0-925153-55-9**
 Sheltering for Examination (*Shoushen*) in the People's Republic of
 China: Law, Policy, and Practices (Kam C. Wong), 53 pp. \$6.00
- No. 4 - 1997 (141) ISSN 0730-0107 ISBN 0-925153-56-7**
 Legal Aid Practices in the PRC in the 1990s — Dynamics, Contents and
 Implications, (Luo Qizhi) 68 pp. \$8.00
- No. 5 - 1997 (142) ISSN 0730-0107 ISBN 0-925153-57-5**
 The KMT's 15th Party Congress: The Ruling Party at a Crossroads
 (John F. Copper), 38 pp. \$5.00
- No. 6 - 1997 (143) ISSN 0730-0107 ISBN 0-925153-58-3**
 From Pirate King to Jungle King: Transformation of Taiwan's Intellec-
 tual Property Protection (Andy Y. Sun), 138 pp. \$18.00

1998 Series

- No. 1 - 1998 (144) ISSN 0730-0107 ISBN 0-925153-59-1**
 From "Multi-System Nations" to "Linkage Communities": A New
 Conceptual Scheme for the Integration of Divided Nations
 (Yung Wei), 20 pp. \$4.00
- No. 2 - 1998 (145) ISSN 0730-0107 ISBN 0-925153-60-5**
 The Impact of the World Trade Organization on the Lack of Trans-
 parency in the People's Republic of China (Stephen Kho), 63 pp.
 \$7.00
- No. 3 - 1998 (146) ISSN 0730-0107 ISBN 0-925153-61-3**
 The Nationalist Ideology of the Chinese Military (Xiaoyu Chen), 45 pp.
 \$6.00

No. 4 - 1998 (147) ISSN 0730-0107 ISBN 0-925153-62-1
 Convergence and the Future of Reunification between Mainland China
 and Taiwan: A Developmental View (Wen-hui Tsai), 33 pp. \$5.00

No. 5 - 1998 (148) ISSN 0730-0107 ISBN 0-925153-63-X
 Chinese Patent Law and Patent Litigation in China (Xiang Wang),
 61 pp. \$8.00

No. 6 - 1998 (149) ISSN 0730-0107 ISBN 0-925153-64-8
 The Development of Banking in Taiwan: The Historical Impact on Fu-
 ture Challenges (Lawrence L.C. Lee), 39 pp. \$6.00

1999 Series

No. 1 - 1999 (150) ISSN 0730-0107 ISBN 0-925153-65-6
 An Analysis of the Sino-Japanese Dispute over the T'iaoyutai Islets
 (Senkaku Gunto) (Hungdah Chiu), 27 pp. \$6.00

No. 2 - 1999 (151) ISSN 0730-0107 ISBN 0-925153-66-4
 Taiwan's 1998 Legislative Yuan, Metropolitan Mayoral and City Coun-
 cil Elections: Confirming and Consolidating Democracy in the Re-
 public of China (John F. Copper), 53 pp. \$7.00

No. 3 - 1999 (152) ISSN 0730-0107 ISBN 0-925153-67-2
 The Diaoyutai/Senkaku Islands Dispute: Its History and an Analysis of
 the Ownership Claims of the P.R.C., R.O.C., and Japan
 (Han-yi Shaw), 148 pp. \$20.00

No. 4 - 1999 (153) ISSN 0730-0107 ISBN 0-925153-68-0
 Election and Democracy in Hong Kong: The 1998 Legislative Council
 Election (Shiu-hing Lo & Wing-yat Yu), 68 pp. \$9.00

No. 5 - 1999 (154) ISSN 0730-0107 ISBN 0-925153-69-9
 The ROC on the Threshold of the 21st Century: A Paradigm Reexam-
 ined (Edited by Chien-min Chao & Cal Clark), 189 pp. \$24.00

No. 6 - 1999 (155) ISSN 0730-0107 ISBN 0-925153-70-2
 Party Primaries in Taiwan: Trends, Conditions, and Projections in Can-
 didate Selection (Julian Baum and James A. Robinson), 39 pp. \$6.00

2000 Series

No. 1 - 2000 (156) ISSN 0730-0107 ISBN 0-925153-71-0
 United States-Taiwan Relations: Twenty Years after the Taiwan Rela-
 tions Act (Edited by Jaw-Ling Joanne Chang & William W. Boyer),
 309 pp. Index \$28.00
 (Hardcover edition: ISBN 0-925153-72-9) \$42.00

- No. 2 - 2000 (157) ISSN 0730-0107 ISBN 0-925153-73-7**
 Taiwan's 2000 Presidential and Vice Presidential Election: Consolidating Democracy and Creating a New Era of Politics (John F. Cooper), 66 pp. \$9.00
- No. 3 - 2000 (158) ISSN 0730-0107 ISBN 0-925153-74-5**
 Legal Eligibility of Taiwan's Accession to GATT/WTO (CHO Hui-Wan), 22 pp. \$6.00
- No. 4 - 2000 (159) ISSN 0730-0107 ISBN 0-925153-75-3**
 Russia's Northeast Asia Policy: Challenges and Choices for the 21st Century (Sharif M. Shuja), 22 pp. \$6.00
- No. 5 - 2000 (160) ISSN 0730-0107 ISBN 0-925153-76-1**
 East Asia and the Principle of Non-Intervention: Policies and Practices (Linjun WU), 39 pp. \$7.00
- No. 6 - 2000 (161) ISSN 0730-0107 ISBN 0-925153-77-X**
 The Association of South East Asian Nations' Confidence and Security Building with the People's Republic of China: Internal Constraints and Policy Implications (Kwei-Bo HUANG), 61 pp. \$9.00

2001 Series

- No. 1 - 2001 (162) ISSN 0730-0107 ISBN 0-925153-78-8**
 Socio-economic Changes and Modernization in an Age of Uncertainty: Taiwan in the 1990s and Its Future Challenge (Wen-hui TSAI), 35 pp. \$7.00
- No. 2 - 2001 (163) ISSN 0730-0107 ISBN 0-925153-79-6**
 Implementation of Taiwan Relations Act: An Examination after Twenty Years (Edited by Hungdah CHIU, Hsing-wei LEE and Chih-Yu T. WU), 267 pp. \$27.00
- No. 3 - 2001 (164) ISSN 0730-0107 ISBN 0-925153-80-X**
 The Diplomatic War between Beijing and Taipei in Chile (Lin CHOU), 61 pp. \$9.00
- No. 4 - 2001 (165) ISSN 0730-0107 ISBN 0-925153-81-8**
 Reforming the Protection of Intellectual Property: The Case of China and Taiwan in Light of WTO Accession (Andy Y. SUN), 46 pp. \$8.00
- No. 5 - 2001 (166) ISSN 0730-0107 ISBN 0-925153-82-6**
 Arbitration of Commercial Disputes in China (Vai Io LO), 26 pp. \$6.00

- No. 6 - 2001 (167) ISSN 0730-0107 ISBN 0-925153-83-4**
Building a Democratic State in Modernizing Taiwan: The 2001 Legislative Election and the Push for Pluralism (Wen-hui TSAI and George P. Chen), 24 pp. \$6.00

2002 Series

- No. 1 - 2002 (168) ISSN 0730-0107 ISBN 0-925153-84-2**
United States and Territorial Disputes in the South China Sea: A Study of Ocean Law and Politics (Yann-huei SONG), 321 pp. \$35.00
- No. 2 - 2002 (169) ISSN 0730-0107 ISBN 0-925153-85-0**
The Politics of Racial Discrimination in Hong Kong (Barry Sautman and Ellen Kneehans), 83 pp. \$10.00
- No. 3 - 2002 (170) ISSN 0730-0107 ISBN 1-932330-00-3**
The Social and Political Bases for Women's Growing Political Power in Taiwan (Cal Clark and Janet Clark), 40 pp. \$7.00
- No. 4 - 2002 (171) ISSN 0730-0107 ISBN 1-932330-01-1**
The U.S.-Taiwan Free Trade Agreement: A Bridge for Economic Integration in the Asia-Pacific Region (Peter C.Y. Chow), 62 pp. \$9.00

2003 Series

- No. 1 - 2003 (172) ISSN 0730-0107 ISBN 1-932330-02-X**
Bringing People Back In: Collected Essays on Major Elections in Taiwan at the Turn of the 21st Century (Wen-hui TSAI), 125 pp. \$18.00
- No. 2 - 2003 (173) ISSN 0730-0107 ISBN 1-932330-03-8**
Taiwan: The Commercial State (Arthur I. Cyr), 81 pp. (out of print) \$10.00
- No. 3 - 2003 (174) ISSN 0730-0107 ISBN 1-932330-04-6**
New Rules to the Old Great Game: An Assessment of the Shanghai Cooperation Organization's Proposed Free Trade Zone (Leland Rhett Miller), 25 pp. \$6.00

MARYLAND STUDIES IN EAST ASIAN LAW AND POLITICS SERIES

(The following books are published under the auspices or co-
auspices of the East Asian Legal Studies Program of the Univer-
sity of Maryland School of Law. The views expressed in each
book reflect only those of the author. All books published in
hard cover edition, unless otherwise indicated.)

1. Hungdah Chiu, *China and the Taiwan Issue*. New York: Praeger Publishers, A Division of Holt, Rinehart and Winston/CBS, Inc., 1979. 295 pp. (Now distributed by the Greenwood Press)
ISBN 0-03-048911-3 \$49.95
2. Hungdah Chiu, *Agreements of the People's Republic of China, 1966-1980: A Calendar*. New York: Praeger Publishers, A Division of Holt, Rinehart and Winston/CBS, Inc., 1981. 329 pp. (Now distributed by the Greenwood Press)
ISBN 0-03-059443-X \$49.95
3. David Salem, *The People's Republic of China, International Law and Arms Control*. Baltimore, Maryland: University of Maryland School of Law OPRSCAS*, 1983. 325 pp.
ISBN 0-942182-59-6 \$15.00
4. Ying-jeou Ma, *Legal Problems of Seabed Boundary Delimitation in the East China Sea*. Baltimore, Maryland: University of Maryland School of Law OPRSCAS, 1984. 308 pp.
ISBN 0-942182-63-4 \$15.00
5. Hungdah Chiu and Shao-chuan Leng, editors, *China: 70 Years After the 1911 Hsin-hai Revolution*. Charlottesville, Virginia: University Press of Virginia, 1984. 600 pp.
(Published under the co-auspices of the Committee on Asian Studies, University of Virginia.)
ISBN 0-8138-1027-7 \$35.00
6. Shao-chuan Leng and Hungdah Chiu, *Criminal Justice in Post-Mao China*. Albany, New York: State University of New York Press, 1985. 325 pp.
(Published under the co-auspices of Committee on Asian Studies, University of Virginia.)
ISBN 0-87395-950-7 (hardcover) \$74.50
ISBN 0-87395-948-5 (paperback) \$24.95

* Occasional Papers/Reprints Series in Contemporary Asian Studies, Inc. (It has been changed to Maryland Series in Contemporary Asian Studies, MSCAS), 500 West Baltimore St., Baltimore, Maryland 21201-1786. (Tel. 410-706-3870)

7. Jaw-ling Joanne Chang, ***United States-China Normalization: An Evaluation of Foreign Policy Decision Making***. Baltimore, Maryland: University of Maryland School of Law OPRSCAS, 1986. 246 pp. (Copublished with Monograph Series in World Affairs, University of Denver)
ISBN 0-942182-78-2 \$12.00
8. Lester Ross and Mitchell A. Silk, ***Environmental Law and Policy in China***. Westport, CT: Greenwood Press (Quorum Books), 1987. 449 pp.
ISBN 0-89930-204-1 \$75.00
9. Hungdah Chiu, Y.C. Jao and Yuan-li Wu, editors, ***The Future of Hong Kong: Toward 1997 and Beyond***. Westport, CT: Greenwood Press (Quorum Books), 1987. 262 pp.
ISBN 0-89930-241-6 \$55.00
10. Ray S. Cline and Hungdah Chiu, eds., ***The United States Constitution and Constitutionalism in China***. Washington, D.C.: U.S. Global Strategy Council, 1988. Distributed by OPRSCAS, 166 pp. Paper. \$8.00
11. Winston L.Y. Yang and Marsha L. Wagner, eds., ***Tiananmen: China's Struggle for Democracy—Its Prelude, Development, Aftermath, and Impact***. Baltimore, Maryland: University of Maryland School of Law OPRSCAS, 1990. 314 pp. Index
ISBN 0-925153-08-7 \$14.00
12. Mitchell A. Silk, ed., ***Taiwan Trade and Investment Law***. Hong Kong: Oxford University Press, 1994. 693 pages.
ISBN 0-19-585289-3 \$59.00

ORDER FORM

Mail this order form to Maryland Series in Contemporary Asian Studies,
University of Maryland School of Law, 500 West Baltimore Street,
Baltimore, Maryland 21201-1786, U.S.A. Or e-mail to eastasia@law.
umaryland.edu or fax to (410)706-1516

Check One:

☐ Please Send:

ISBN

Title

No. of Copies

☐ Please start my subscription of the MSCAS: Starting year _____

Subscription price is U.S. \$35.00 per year for 4 issues in the U.S. and
\$40.00 for Canada, Mexico or overseas (regardless of the price of
individual issues).

My check of U.S. \$ _____ is enclosed.
_____ copy(s) of invoice/receipt required. (Institution/
library may request billing before making payment)
Please add postage/handling of \$4.00 for one copy and \$1.00 for each
additional copy. Make checks payable to MSCAS.

Please send books to:

Contact Name

Corporation/Library/Institution

Address (Please include zip code)

Country

